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# SARATOGA NATIONAL HISTORICAL PARK

## HEARING

BEFORE THE

## SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

OF THE

## COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

SECOND SESSION

ON

## S. 1540

A BILL TO REVISE THE BOUNDARIES OF THE SARATOGA NATIONAL HISTORICAL PARK IN THE STATE OF NEW YORK, AND FOR OTHER PURPOSES

APRIL 15, 1982

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# SARATOGA NATIONAL HISTORICAL PARK

THURSDAY, APRIL 15, 1982

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
*Washington, D.C.*

The subcommittee met, pursuant to notice, at 10:15 a.m., in room 3110, Dirksen Office Building, Hon. John W. Warner, presiding.

Present: Senator Warner and Moynihan.

Also present: Tony Bevinetto, professional staff member.

## OPENING STATEMENT OF HON. JOHN W. WARNER, A U.S. SENATOR FROM THE STATE OF VIRGINIA

Senator WARNER. We'll go ahead with the hearing of the subcommittee this morning. We ask the witnesses to commence their testimony and should Senator Moynihan appear, I would hope you will understand if I ask you to suspend until he has had the opportunity to testify.

The Public Lands and Reserved Water Subcommittee will hear testimony today on S. 1540, to revise the boundaries of the Saratoga National Historical Park in the State of New York.

Originally S. 1999, an act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, was originally scheduled to be heard today, but as you certainly understand, as a consequence of a fire, it was the judgment of those of us collectively that we should postpone consideration of any legislation affecting Wolf Trap until such time as those in positions of responsibility can provide us with a course of action, so now we'll return to S. 1540.

The record will be open for 2 weeks for the submission of additional materials. I ask the witnesses to summarize their written statements. Their full statement will be printed in the record.

It is our privilege this morning to have Mary Lou Grier, Deputy Director of the National Park Service, as our first witness.

[The prepared statement of Senator Warner follows:]

OPENING STATEMENT OF HON. JOHN W. WARNER, A U.S. SENATOR FROM THE STATE OF VIRGINIA

Good Morning, the Public Lands and Reserved Water Subcommittee will hear testimony today on S. 1540 to revise the boundaries of the Saratoga National Historical Park in the State of New York.

My bill, S. 1999, to amend the act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Virginia, was originally scheduled to be heard today. But, as most of you know, a destructive fire has left the Filene Center in a skeletal ruin. Thousands of people, friends of Wolf Trap, started a phoenix like movement to rebuild, replace and restore this great facility before the ashes had

even cooled. I contemplated holding this hearing on S. 1999 in spite of the fire, but I have decided to postpone the consideration of S. 1999 and ask the subcommittee to expand the scope of the hearings to give a report of the scope and direction that the rebirth of Wolf Trap will take. Hopefully, all interested parties will agree on a course of action to have the Nation's first park for the performing arts completely functional again.

Now, we turn to S. 1540. The record will be open for 2 weeks for the submission of additional materials. I ask the witnesses to summarize their written statements as the full statement will be printed in the record.

Thank you.

[The text of S. 1540 follows:]

II

97TH CONGRESS
1ST SESSION

# S. 1540

To revise the boundaries of the Saratoga National Historical Park in the State of New York, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 29 (legislative day, JULY 8), 1981

Mr. MOYNIHAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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# A BILL

To revise the boundaries of the Saratoga National Historical Park in the State of New York, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in order to preserve certain lands historically associated with the battle of Saratoga and to facilitate the administration and interpretation of the Saratoga National Historical Park, the boundary of the park is hereby revised to include the area generally depicted on the map entitled "Saratoga National Historical Park," numbered 80,001, and dated March 23, 1979. Within the boundary of the park, the Secre-

tary of the Interior (hereinafter referred to as the "Secretary"), is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, or exchange. Except for the tract identified on the aforesaid map as tract number 01–132, which was authorized to be acquired by section 115 of the Act of March 5, 1980 (94 Stat. 71), the Secretary may not acquire (except by donation) fee simple title to those lands depicted on the map as proposed for less than fee acquisition. The map shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior.

SEC. 2. (a) Except for property which the Secretary determines to be necessary for the purposes of administration, development, access, or public use, an owner of improved property which is used solely for noncommercial residential purposes on the date of its acquisition by the Secretary may retain, as a condition of such an acquisition, a right of use and occupancy of the property for such residential purposes. The right retained may be for a definite term which shall not exceed twenty-five years, or in lieu thereof, for a term ending at the death of the owner. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination.

SEC. 3. Section 2 of the Act approved June 22, 1948 (62 Stat. 571; 16 U.S.C. 159d), is amended to read as follows:

"SEC. 2. The Secretary of the Interior is authorized to accept all or any portion of the General Philip Schuyler Mansion property, real and personal, situated at Schuylerville, New York, comprising approximately fifty acres.".

SEC. 4. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

96-059 O—82——2

Senator WARNER. Senator, we are right at that point, waiting for your arrival. Have you met Ms. Grier, the Deputy Director of the Park Service?

Senator MOYNIHAN. Good morning.

## STATEMENT OF HON. DANIEL PATRICK MOYNIHAN, A U.S. SENATOR FROM THE STATE OF NEW YORK

Senator MOYNIHAN. Chairman, Ms. Grier has introduced her statement, and I would simply if I may, sir, introduce a similar statement for the record, and respond basically to the proposition that we ought not to go ahead now with the authorization of the additional land.

First, if I could say, and you as a Virginian will forgive me, this is not an ordinary site. The Battle of Saratoga was the decisive battle of the American Revolution. The American Republic came into being because of the events on that battlefield in 1777 which led to its final, more glorious event, in Virginia, but the basic military event of the Revolutionary War was the British trying to divide the colonies and moving down from Canada to capture Albany, and having already been in possession of New York, which did not happen, and did not happen because of the Battle of Saragota was decisive.

The park was established in 1938 at a time when the area was rural and very sparce. The soil is not all that good in that part of New York State. Since then there has been a great many developments. The interstate highway has moved north from Albany. This area is moving from a suburb of a large urban complex where the Mohawk River reaches, enters the Hudson. Indeed the reason the British were heading for that part of the world is now a happening.

When the park was established in 1938, the 2,600 acres at least for the specific purposes needed is now proposed to authorize 803.1 additional acres, to involve about 830,000; 33,059 acres will be purchased outright, and the rest will be easements.

Our case, Mr. Chairman, is a simple one. It is the strongest of parcels involved with the historical delineations, battle, and the purposes of the park, that we need the extra land. If it is authorized, we will get in line for funding, and we will take our turn with funding. I mean, we know it will take time. It took 150 years to get the battlefield turned into a State park. If it will take more time, so be it.

In the meantime, however, we shall establish the national purpose of seeing that this area, the integrity of the area, is preserved, and that it will be there in the next century, and will not be, the ground, covered by or surrounded by rowhouses. It is as simple as that.

[The prepared statement of Senator Moynihan follows:]

STATEMENT OF

SENATOR DANIEL PATRICK MOYNIHAN

BEFORE THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATERS

April 15, 1982

Mr. Chairman and distinguished members of the Public Lands and Reserved Water Subcommittee, I am delighted to have this opportunity to appear before you today in support of S. 1540, legislation that I have introduced to extend the boundaries of the Saratoga National Historical Park.

As you are no doubt aware, it was at Saratoga that the Continental Army soundly defeated the British and thus turned the tide of the American Revolution. If I may digress for a moment, Mr. Chairman, a discussion of the events surrounding this great victory seems in order, and it is certainly relevant to any discussion of the bill's merit.

For centuries, the passage running from Lake Champlain along the banks of the Hudson River was viewed as a strategic highway through the Northeast. In the early years of the American Revolution, General John Burgoyne of the Royal British Army devised a plan to lead his troops south along this route and capture the City of Albany. On June 17, 1777, Burgoyne set out with a force of 9,000 British soldiers to accomplish just that. As they advanced toward Albany, Burgoyne and his men suffered a series of setbacks, but still they pressed on. In fact, the British may very well have reached Albany and dealt the embryonic American revolution a crippling blow had it not been for the resourceful planning of General Horatio Gates, Commander of the American forces in the northern colonies. In two separate battles at Saratoga, General Gates, with an army that had grown to nearly 20,000 men, isolated Burgoyne's troops and forced his surrender on October 17, 1777.

The American victory at Saratoga forced the British to reassess their strategy of crushing the colonial rebellion through a series of major land campaigns. They shifted their emphasis to naval warfare and the capture of more limited strategic targets.

The effect the battle at Saratoga had on the Americans was even more profound. It not only bolstered the morale of the Revolutionary Army, it was also instrumental in bringing France into the war. The American Revolution had graduated from a struggle between a mother country and her colony to an international conflict in which an American victory was seen at last to be a distinct possibility.

To commemorate the Battle of Saratoga and the American patriots who sacrificed their lives there, legislation was enacted in 1938 to create the Saratoga Historical Park. While the park is both historically relevant and aesthetically a delight, it is nevertheless lacking in a geographic as well as historic sense.

Acreage is missing, acreage that represents the most historically significant sections of the park. Among them, the location of the American headquarters, the American hospital, and the grounds where the largest portion of the American fortified flank stood strong against the British. In total, this area is composed of 803.91 acres which, in several cases, lie virtually in the middle of the confines of the established park. The legislation we are considering today will unify the park and incorporate into our national parks system those 800 acres that are of paramount historical importance.

I should like to recall the words of the eminent educator, Timothy Dwight, who served as President of Yale College from 1795 until the time of his death in 1817. Upon visiting the battleground in 1779, he was moved to remark that, "Future

travelers will resort to this spot with the same emotions of which it is the perpetual memorial." Indeed we have. And with this legislation we can finally make complete this memorial to one of the most stirring and important military battles in our Nation's history.

Mr. Chairman, I would like to express my appreciation to the Subcommittee for scheduling this hearing, and my deep admiration for those citizens who have labored so long and so hard to preserve and improve this monument to those patriots whose sacrifice made this Republic possible.

Senator WARNER. That's very clear, Senator. Your statement will be put in the record in its entirety, and your views will weigh heavily with those of us who have to make this decision, and I thank you very much.

Senator MOYNIHAN. Senator, I do have another comment. I will not ask you for the expenditure of a penny, nor ask you for any priority, and I do thank you.

Senator WARNER. Thank you, Senator. It is a privilege to be with you.

Now Ms. Grier?

**STATEMENT OF MARY LOU GRIER, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY GLEN GRAY, SUPERINTENDENT, SARATOGA NATIONAL HISTORICAL PARK**

Ms. GRIER. Thank you, Mr. Chairman. If I might, before I begin on S. 1540, Mr. Ira Hutchinson, one of my codeputies, with the National Park Service, testified before Chairman Wallop, and at that time was unable to testify on S. 1777. We deeply regret that, but would like to submit for the record his statement on that particular bill.

Senator WARNER. We accept it.

Ms. GRIER. Thank you.

Senator WARNER. It is a pleasure to have you here this morning.

Ms. GRIER. I appreciate the opportunity to present the views of the Department on S. 1540 which would revise the boundaries of Saratoga National Historical Park in the State of New York, and for other purposes.

The Department of the Interior opposes S. 1540. It, of course, revises the boundary of Saratoga National Historical Park and authorizes the Secretary to acquire lands or interest in lands by donation, purchase with donated or appropriated funds for exchange. We have a map if you're interested.

Senator WARNER. I would be interested, yes. Thank you.

Ms. GRIER. Fine. I would like to introduce Mr. Glen Gray, our superintendent at Saratoga, who is at the table with me.

This sets out the boundaries and identifies certain tracts for less than fee simple acquistion. It authorizes such sums as may be necessary to carry out the purposes of the bill.

We fully recognize the significance of the Battle of Saratoga, and our opposition is not based on any view that the Saratoga National Historical Park is not important or that it is less significant than any other historical parks. However, we believe that it is not appropriate for the administration to support a bill calling for more parkland acquisition. As you know, there is a tremendous backlog of lands to be acquired.

As the Department has testified on numerous occasions, the condition of many of our already acquired national parks is deteriorating. Many parks contain potential hazards to the health and safety of visitors to them. This administration's highest priority is the improvement and maintenance of existing units of the national park system.

Given current economic conditions and the need to hold down the growth of Government spending, the funds for parkland acquisition are necessarily limited. We believe that we should acquire lands that we have been authorized to acquire and eliminate the backlog before we support new legislation authorizing still more lands for acquisition. Therefore, we cannot support S. 1540 at this time.

This concludes my prepared testimony, and I would be pleased to answer any questions that you might have.

[The prepared statement of Ms. Grier follows:]

**STATEMENT OF MARY LOU GRIER, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, ON S. 1540, A BILL "TO REVISE THE BOUNDARIES OF THE SARATOGA NATIONAL HISTORICAL PARK IN THE STATE OF NEW YORK, AND FOR OTHER PURPOSES."**

**APRIL 14, 1982**

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MR. CHAIRMAN, THANK YOU FOR THE OPPORTUNITY TO PRESENT THE VIEWS OF THE DEPARTMENT OF THE INTERIOR ON S. 1540, A BILL "TO REVISE THE BOUNDARIES OF THE SARATOGA NATIONAL HISTORICAL PARK IN THE STATE OF NEW YORK, AND FOR OTHER PURPOSES."

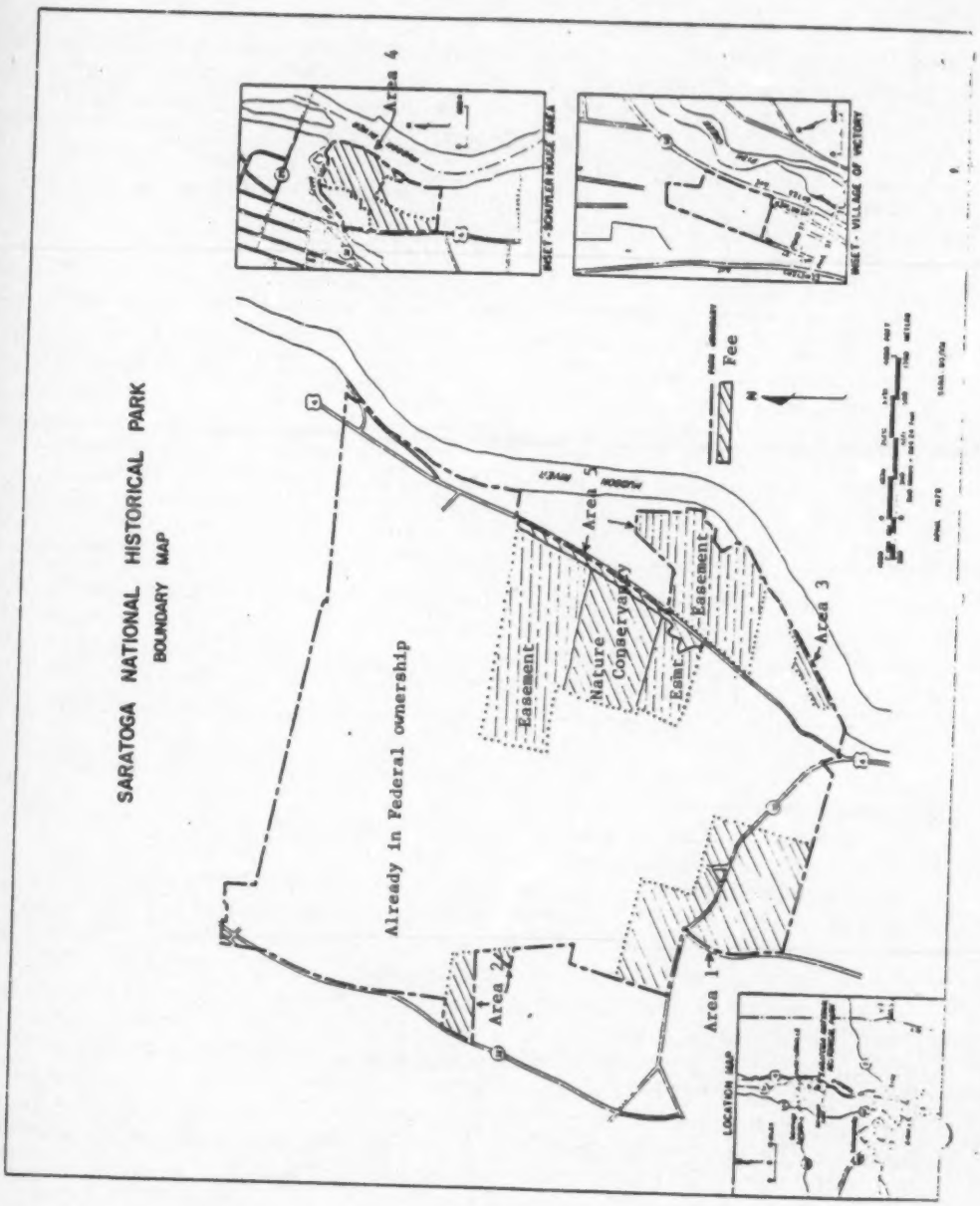
THE DEPARTMENT OF THE INTERIOR OPPOSES S. 1540.

S. 1540 REVISES THE BOUNDARIES OF SARATOGA NATIONAL HISTORICAL PARK AND AUTHORIZES THE SECRETARY TO ACQUIRE LANDS OR INTERESTS IN LANDS BY DONATION, PURCHASE WITH DONATED OR APPROPRIATED FUNDS, OR EXCHANGE. THE MAP WHICH SETS OUT THE BOUNDARIES IDENTIFIES CERTAIN TRACTS FOR LESS THAN FEE SIMPLE ACQUISITION. THE BILL AUTHORIZES SUCH SUMS AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THE BILL.

WE RECOGNIZE THE SIGNIFICANCE OF THE BATTLE OF SARATOGA AND OUR OPPOSITION IS NOT BASED ON ANY VIEW THAT THE SARATOGA NATIONAL HISTORICAL PARK IS NOT IMPORTANT OR THAT IT IS LESS SIGNIFICANT THAN OTHER HISTORICAL PARKS. HOWEVER, WE BELIEVE THAT IT IS NOT APPROPRIATE FOR THE ADMINISTRATION TO SUPPORT A BILL CALLING FOR MORE PARK LAND ACQUISITION. THERE IS A TREMENDOUS BACKLOG

OF LANDS TO BE ACQUIRED. AS THE DEPARTMENT HAS TESTIFIED ON NUMEROUS OCCASIONS, THE CONDITION OF MANY OF OUR ALREADY ACQUIRED NATIONAL PARKS IS DETERIORATING. MANY PARKS CONTAIN POTENTIAL HAZARDS TO THE HEALTH AND SAFETY OF VISITORS TO THEM. THIS ADMINISTRATION'S HIGHEST PRIORITY IS THE IMPROVEMENT AND MAINTENANCE OF EXISTING UNITS OF THE NATIONAL PARK SYSTEM. GIVEN CURRENT ECONOMIC CONDITIONS AND THE NEED TO HOLD DOWN THE GROWTH OF GOVERNMENT SPENDING, THE FUNDS FOR PARK LAND ACQUISITION ARE NECESSARILY LIMITED. WE BELIEVE THAT WE SHOULD ACQUIRE LANDS THAT WE HAVE BEEN AUTHORIZED TO ACQUIRE AND ELIMINATE THE BACKLOG BEFORE WE SUPPORT NEW LEGISLATION AUTHORIZING STILL MORE LANDS FOR ACQUISITION. THEREFORE, WE CANNOT SUPPORT S. 1540 AT THIS TIME.

THIS CONCLUDES MY PREPARED TESTIMONY. I WOULD BE PLEASED TO ANSWER ANY QUESTIONS YOU MIGHT HAVE.


SARATOGA NATIONAL HISTORICAL PARK
BOUNDARY MAP
Area 4
Area 3
Area 2
Area 1
Easement
Nature Conservancy
Easement
Already in Federal ownership
Fee
LOCATION MAP

Senator WARNER. What was the acquisition cost?

Ms. GRIER. We don't have any current estimates. Earlier, I believe it was in 1979, the last complete estimate was $894,000. It was adjusted downward to roughly $830,000 in 1980. We have no recent appraisal on the lands. That cost we estimate roughly about $2,000 for such an appraisal, and several weeks of work.

Senator WARNER. Now the position that you provided us with this morning, is that one that has been consistently held by the Department, or is this a change of thinking?

Ms. GRIER. No, sir, not with regard to the authorization of new lands for acquisition.

Senator WARNER. I know the general philosophy of Secretary Watt. I think it is a good one, but I just wondered with respect to this particular part and the views expressed to the Senate here, I just wondered if any thought had been given to make this an exception to the policy?

Ms. GRIER. Well, a great deal of what is proposed in this bill, I think we already have the capability to do. No. 1, the boundaries that we currently have were set by the Park Service and can be changed.

The acceptance of land in donation can still be continued. The problem occurs with regard to the purchase plan in the acquisition. As you know, we have got a tremendous backlog of acquisitions already authorized by the Congress. We have a lot of hardship situations. We have a lot of court condemnations that we are trying to take care of as our first priority. That is really the crux of our problem.

Senator WARNER. Is the acquisition in conformance with the new land protection policy?

Ms. GRIER. That is currently in the Federal Register. I believe the comment period on that closes about the 21st of April. All of the comments that we have received to date have been very supportive, and we expect the final policy to be in the Register about the first of May. We will be doing a land protection plan for Saratoga, and it will, when adopted, become part of the general management plan of the park, and it may well be that when that land protection policy is done for the park that we can come up with some constructive proposals for consideration by the committee.

Senator WARNER. But is this particular parcel in conformance?

Ms. GRIER. I'm sorry?

Senator WARNER. This particular parcel, this particular transaction, is this one in conformance with the land policy?

Ms. GRIER. I could not tell as of right now. Basically many of the items provided for in this bill would fall, I would assume, under whatever land policy is proposed for this particular park.

Senator WARNER. I am going to let my counsel try and restate this question.

Ms. GRIER. I'm sorry. I couldn't quite hear you, Mr. Chairman.

Mr. BEVINETTO. Is the acquisition contemplated in S. 1540 in conformance with the new land protection policy, and if you don't have that at this time, Ms. Grier, you can supply that for the record.

Ms. GRIER. It could well be. It could well be. In many instances—we have done eight cases to date on parks throughout the country.

Some of the results of those case studies have recommended the acquisition. There is no way you cannot have that in a good many cases. Those are in a lot of instances already authorized by the Congress.

Does that answer your question? We haven't done a land management policy for this particular park. Now what it will end up recommending I cannot tell you. It could well recommend an approach in conformance with this bill.

Senator WARNER. I think your position is very clear, and you have done the best you can with that question.

Ms. GRIER. Forgive me.

Senator WARNER. You know, I envy you personally and the job that you are doing is one of those positions that Government always aspires to. I think it is a marvelous opportunity to serve the country. You are doing a fine job, and I thank you very much for joining us this morning.

Ms. GRIER. Thank you, Mr. Chairman.

Senator WARNER. Ms. Grier, for the record, would you like to introduce the gentleman with you?

Ms. GRIER. I'm sorry. This is Superintendent Glen Gray, Saratoga National Historical Park.

Senator WARNER. Superintendent, we thank you for making the trip down to join us this morning.

Superintendent GRAY. It was my pleasure.

Senator WARNER. Did you have anything further you would like to add to the testimony as you have heard it thus far?

Superintendent GRAY. No, sir.

Senator WARNER. Good answer. You will be on the safe side with that one.

Ms. Childs, chairman of the Citizen Advisory Committee for Saratoga Battlefield. Good morning. Thank you for making the journey down here this morning. You may proceed. We'll put your entire statement in the record.

## STATEMENT OF NANCY CHILDS, CHAIRMAN, CITIZENS' ADVISORY COMMITTEE FOR SARATOGA BATTLEFIELD

Ms. CHILDS. I am going to depart from what I had planned to say as a result of these questions, the comments of my predecessors.

I would like to modify one comment by Senator Moynihan when he said that 359 acres would be purchased under the proposed legislation. This is not strictly the case. Only 277 would be. Eighty-two acres would be donated by State and county, and these, of course, are already off the tax rolls as far as the town of Stillwater is concerned. They are fee acquisitions, but they would be donated.

The other comment is I noticed on that map it does not appear to indicate the fact that one area that was originally part of this bill has been acquired already separately.

Senator WARNER. If we might, Ms. Grier, the witness raises a very important point on the acreage, and could you address that? Did you have the opportunity to hear what the witness said on the discrepancy on the acreage?

Ms. CHILDS. And I had some other questions on Mrs. Grier's comments also. I don't know whether she has time.

Senator WARNER. It would be helpful. Would you restate the acreage point?

Ms. CHILDS. Of the fee acreage to which Senator Moynihan referred, a total of 359, only 277 are scheduled actually to be purchased. The other 82 would be donated by the State and county, and they are already, of course, also off the tax roll as being tax exempt; 277 is what it should be—82 would be donated—359 minus 82.

Superintendent Gray. Who would end up with fee acquisition of the land that is now owned by the State?

Senator WARNER. Thank you very much. That's important.

Ms. CHILDS. All right. Now my next point has to do with one of the tracts on the map. I enclosed a map with copies of my written statement which I brought in with me this morning, so there is a map on the back that you can refer to when I am speaking. It is relevant to this.

There is a tract. I don't think it was pointed out on the map. It is the Nature Conservancy tract, 01132. That has already been acquired, and it doesn't figure in this 804 acres, but when you just look at the map you don't see that that has already been acquired. That went through separately. It was held by Nature Conservancy for preservation, and I would like to mention in that regard, I was going to mention that in my prepared text, that I think the fact the Nature Conservancy went to sacrificial lengths to purchase that land 7 years ago, they do not normally do historic preservation, and they did that as a special favor to the Government because of the significance they thought it had as far as the visual environment was concerned.

Those other acreages over there are less than fee, and in fact that was originally scheduled as less than fee, but it turned out to be fee acquistion through Nature Conservancy, but as far as the visual environment is concerned, that is what is at stake on the eastern boundary, and they held that, they were told that the park—the master plan for land acquisition for Saratoga National Historical Park has been around since 1969, and I think this also relevent to what Mrs. Grier said about things that are old and new and so on.

What you have to realize is there is a sad record of administrative bungling of this whole matter of preserving what is really important here. It is not like new—you know, when I hear about new lands and I hear Mr. Watt, I have heard him on television interviewed twice already this year talking with, I think it was Chairman Udall about the business of land acquisition and saying we don't need any more new land, and even Chairman Udall, I mean they agreed there is no new land scheduled as far as executive legislation to be requested this year, more or less assuming that everything really important had been purchased, and I think the Secretary genuinely believed that, and in general it is probably true.

My whole point about this area is that following on what Senator Moynihan said, this is an unusual situation. It should have been purchased back in the forties. The most important area that is covered by S. 1540 which is the focal point of the whole bill is the historic area that was originally authorized in 1938 and specifically designated and was one of the most important parts of this battle-

field which is the most important battlefield in this country, and this a strange sort of fluke situation that this should be still unpreserved over 40 years after ths original authorization.

I doubt very much whether there is another area in the whole country of equal historic significance which is still unpreserved, and the tragedy is——

Senator WARNER. Well, on that point, being the Senator from Virginia, we have made some effort to get a small piece of the Manassas Battlefield back into Federal hands, so with no disrespect to you, and I respect the fervor and enthusiasm which which you speak, I also have the distinct privilege of being one of the principals in the Nation's Bicentennial, and as such I have traveled to all 50 States, conversed with citizens, and there are several pieces of property around that are very dear to a number of people.

Ms. CHILDS. Well, I don't question that.

Senator WARNER. Excuse me. My admiration for you only grows. You go right ahead with your statement.

Ms. CHILDS. I would refer to my written statement. I won't take time to necessarily repeat, but I do quote some very authoritative military historians.

Senator WARNER. There's no question about it.

Ms. CHILDS. And there is one professional military historian on my committee who I also quote, and I think as far as the military significance of Saratoga Battlefield that it is fair to say that it is unique because it is the only battle in our history on which the very existence of the Nation depended. If the outcome had been different, we would not have come into existence, certainly not when we did, so that that is the thing. Even when people talk about it, they say oh, yes, we all learned in school that was the turning point of the Revolution, but what they forget is that the Revolution was not, you know, it was the war that determined whether or not we would exist, and that is why it is different from Gettysburg even, so in that sense, I echo and reiterate Senator Moynihan.

I do think that there is a unique significance, there, and it is tragic, understandable perhaps, but tragic to get the echos of the discussions in Washington which I have now been getting for several years, to hear the bureaucrats sitting around and talking about it, it is quite clear that they don't appreciate this. They sit there and they talk about business as usual, and the budget and all that.

It is not that I am surprised, but it's tragic, and as far as the amount of money is concerned, I was interested and waiting to hear what Mrs. Grier would say, and it did square with the figures that I had. The downgrading, I imagine maybe that's the Nature Conservancy being taken off now. I'm not sure. It could be something else, but this is, this would cover the whole thing. This would cover the easement areas—oh, I didn't finish saying about Nature Conservancy, that they held that land for 7 years. They had been told it would be 2½ years. I just talked with their Boston office. I know how hard it was for them financially to hold that and pay the taxes, and they did that because they thought it was so important, so I think that testifies to the importance of the visual environment on that eastern boundary which the rest of the land under the bill you see would include.

As far as the amount of money is concerned, really when you think of what the budget is, and I hear that we have just had from the Office of Management and Budget their negative judgment about this as of now, and you know, we just have to realize that there has to be some sense of appropriate values. This thing is irreplaceable. This is not only unique in our history. It is one of the, it is considered by military historians and anyone who knows anything about world history one of the decisive battles of world history because it determined the existence of the United States and all that it represents in the world, so I would like to say, I didn't want to go into, I wasn't planning to go into the business about the administrative contribution to this problem, but I did find, I did a great deal of research on this.

I was shocked when I first became aware that the land was for sale, the land in the General Gates' headquarters area was for sale in late 1978. It has been for sale for almost a year then. It went on the market just about at the time of the Bicentennial, sad to say, which was October 1977, and I became aware of it about a year later, and in researching this I couldn't believe this was happening. I found out that the Park Service had itself been a major contributor to this deteriorated situation. The State of New York also contributed to it in that there has not been for some unknown reason a State historical marker on the road up there in anyone's memory, although I did take time briefly at that stage to check with the State office involved, and they were quite sure that one must have been put there in 1927 when the others were put up.

There is no question that it was Gates' headquarters. There is a granite marker up there that was put up in 1883 along with other granite markers on Venus Heights.

Senator WARNER. Ms. Childs, you better wind up.

Ms. CHILDS. Yes. The general public, people are forgetting the importance of this place because there is nothing to mark it as of now and I did find that the Park Service had been a major factor in bringing about this emergency because when they had the master plan in 1969 they failed to make any distinction between this area which was the only area that was a holdover from 1938 of all the other land that was authorized in 1938, was purchased in the forties, except this.

The British and Indian campsites on the opposite side of the park were purchased probably because of roadbuilding considerations. They had to build an access road to the administration.

As far as from the standpoint of patriotic value, and what American citizens want to go to see, they had the Bicentennial ceremony right across the road from this land that is in jeopardy. The present American sector of the park is incomplete, and yet it has always been for visitors as the records show the focal point where they really want to go. It is where many of the monuments are, where the Polish American group congregates every year. It is where the beautiful view is. It is a magnificent site. The whole visual environment will be changed irreversibly if this land is not acquired, and the whole thing is just going to be housing.

There is one new house already and a pond they have put in. They have bulldozed. It is a sign of what is coming there so that this land has been, I really feel the Park Service has an obligation

to redress its own mistakes in contributing. They should have put a priority on this land. Even though all the other buffer acreage is very much needed, I have already referred to that, the Gates' headquarters area is a core part of the original authorization. This is not new land being requested as Mrs. Grier and the policy makes it sound like it is new land. We don't want any more new land.

This is old land which should have been acquired long ago and I would like to say as far as Superintendent Gray is concerned, when he learned that the land was up for sale in 1977 the owner went to him and of course assumed the park was going to buy it, and because of the big hangup on the rest of the acreage, their 1969 master plan—see, it was a case of linking up. It was a linkage problem. They had it linked with all this other—much of which was excessive, and which has been deleted from the present bill. The present bill is very modest in my opinion. They scaled down a lot of the buffer acreage, and he tried to get a special dispensation from Washington to buy that very historic area when it went on the market, a part of it, the large part of it went on the market, and they refused, and they turned him down because they were too blind to recognize their own mistakes.

The record that they had, they have corrected it since. I'll give them credit for correcting it, but the record had gone into Washington with a mistaken wording that all of the land originally authorized had been acquired by 1948, and that was not true, so in Washington they simply accepted that as the criterion to their negative judgment in 1977, and they never stopped to think, maybe they never had it described to them, but no one ever had enough independent judgment to ask how an area as important as that, the Gates' headquarters, the field hospital, most of the camp, and the left flank of the fortified line which was the key part that the British were trying to break through in the second battle, how that was not yet in the park. Nobody in the Washington office ever thought of asking that question.

Senator WARNER. Well, the question is raised today, and we thank you for your volunteer spirit and the enthusiasm which you have expressed here this morning. We appreciate you making the trip.

Ms. CHILDS. Thank you.

[The prepared statement and subsequent submittal of Ms. Childs follows:]

April 15, 1982

TO: Senate Energy & Natural Resources Subcommittee on Public Lands & Reserved Water, Hon. Malcolm Wallop, Chairman

RE: Senate Bill 1540, to revise the boundaries of Saratoga National Historical Park in the State of New York, sponsored by Sen. Daniel P. Moynihan

Purpose of bill

The chief purpose of this bill is to complete preservation of the most important battlefield in the nation -- Saratoga Battlefield at Bemis Heights, Stillwater, N.Y. The two battles fought there in September and October of 1777 resulted in the surrender of an entire British army and determined the ultimate outcome of the American Revolution.

Significance of site

Bemis Heights thus became in a very real sense the birthplace of this nation and all it represents in the world. Independence had been declared on July 4th of the preceding year, but the reality of this depended on ensuing events. Without the victory at Saratoga the shot fired at Concord would have been only a forlorn hope instead of "the shot heard 'round the world."

The Saratoga victory revitalized patriot morale and gave Washington himself the hope necessary to endure the bitter winter at Valley Forge which followed. During that period Benjamin Franklin went to France with news of the defeat of Burgoyne's army. John Adams wrote: "Gen. Gates was the ablest negotiator you ever had in Europe." (Quoted in Paul David Nelson's Gen. Horatio Gates, A Biography, 1976, p.152)

As a result of this, France became an ally. Without that alliance, historians have agreed with Washington's judgment at the time, that the colonists could not have won the war.

Historical background

By the summer of 1777, British Gen. John Burgoyne had begun his ill fated march from Canada to Albany with an army of 9,000 men, largely British and German, plus several hundred Canadians, Tories, and Indians. The British objective was to link up somewhere in central New York with Gen. William Howe, whose army was headquartered in New York City. He was to be reinforced from the west by Col. Barry St. Leger, moving from Canada through the Mohawk River valley to Albany. British control of the vital Lake Champlain-Hudson River waterway from Canada to Manhattan would split the northern and southern colonies, isolating New England, thereby preventing unified American action and so weakening the rebellion that it could not be continued. The weakness of the plan was that coordination and communication were inadequate.

Howe decided to invade Philadelpnia, leaving Gen. Henry Clinton with only a small force in New York City. St. Leger was forced by American opposition to withdraw to Canada. Clinton moved up the Hudson but never in sufficient force to relieve Burgoyne. Gen. Philip Schuyler was in command of the American Northern Department until mid-August, when he was replaced by Gen. Horatio Gates.

Although Burgoyne's army overran American positions at Ft. Ticonderoga and elsewhere, it was impeded by Schuyler's delaying tactics of blocked roads and demolished bridges. At Hubbardton, in what is now Vermont, the first battle

occurred. At Bennington, the New England militia inflicted 800 casualties on a British foraging detachment.Burgoyne's position became increasingly isolated.

In mid-September he crossed the Hudson above Gen. Schuyler's country estate at Saratoga, site of present day Schuylerville. About 12 miles to the south a force of 9,000 Americans was entrenched at Bemis Heights, 4 miles north of the village of Stillwater. This position had been chosen by the Polish military engineer Thaddeus Kosciuszko, serving as a colonel in the Continental Army. Its fortifications, with those on the river flats below, controlled both the road and the river at that point. Burgoyne's only hope for reaching Albany would be to drive the Americans from their positions on the heights.

The ensuing conflicts on Sept. 19 and Oct. 7 resulted in over 1,000 British casualties. The American camp was daily increased by the arrival of additional militia units, eventually numbering over 20,000 men. Burgoyne retreated north to Saratoga, where his camp was surrounded and the famous surrender agreement was signed on Oct. 17, 1777. His remaining 5,800 troops went into captivity for the duration of the war.

Significance of battle (Military historians)

On the significance of this I quote Dr. K. Jack Bauer, Professor of History at Rensselaer Polytechnic Institute, Troy, N.Y., a member of the Citizens' Advisory Committee for Saratoga Battlefield and a professional military historian, Trustee of the American Military Institute, and former John F. Morrison Visiting Professor of American History at the Army's Command and General Staff College:

"The surrender of Burgoyne had profound effects. It eliminated one of Britain's two field armies in America, reducing drastically her opportunity for a military solution to the insurrection. It revived American morale after a prolonged dark period of military reverses. But even more important, it permitted Benjamin Franklin to negotiate the alliance without which American independence was virtually impossible. The success of the American Revolution in turn loosed ideas and spawned movements whose repercussions we still feel."

J.F.C. Fuller considered by many of Great Britain the outstanding military historian of the past fifty years, states in Vol. II, A Military History of the Western World (1955), p. 309: ". . . the surrender at Saratoga was the unbottling of the djinn. . . France reinforced America and soon dragged Spain and Holland into the war. . . Thus at Saratoga the sword of Damocles fell, not only on Great Britain, but, because of the fervour of the American Revolution, upon most of the western world."

Sir Edward Creasy in his Fifteen Decisive Battles of the World (1851, 1943 ed.), p.351, quotes Lord Mahon on Saratoga: " ' . . . it has modified for all times to come the connection between every colony and every parent state.' " Creasy adds: " Nor can any military event be said to have exercised more important influence on the future fortunes of mankind than the complete defeat of Burgoyne's expedition."

A contemporary statement after the battle said: "Rebellion which a twelvemonth ago was a contemptible pygmy, is now in appearance a giant." (SNHP visitors' guide)

It is therefore impossible to overestimate the historical and patriotic significance of this place. Upon no other military engagement in our history did

the very existence of the nation so depend.

National Park

To commemorate this event and honor the American patriots whose sacrifices made it possible, Saratoga National Historical Park was authorized in 1938 and established in 1948.

Important and never acquired

Unfortunately, one of the most important parts of the area originally authorized has never been purchased, due first to lack of donated funds and later to administrative errors. I refer to the site of Gen. Horatio Gates' Headquarters on Bemis Heights, the American field hospital, a major part of the American camp, and the strategically significant left flank of the fortified line. Capture of this area was the British objective in both battles. In the second battle they hoped to accomplish this by breaking through the American left flank. It seems ironic that the British and Indian camps on the opposite side of the Park, not in the scenic area on the heights, have been preserved for years.

Present threat to land and visual environment

Fortunately, land use on the heights has remained largely agricultural for 200 years, with little more than plowing to disturb the earth itself. This condition is now rapidly changing, however, and destruction of the land by bulldozing for residential development has already occurred. Immediately adjacent to the present Park boundary, within the American camp and fortified left flank area, is a conspicuous new house. In the rear a pond has been bulldozed and stocked with ducks. This is an example of things to come if this legislation is not immediately passed and funded.

incomplete

The area now threatened is adjacent to and in full view of the present American sector of the Park. Here Bicentennial ceremonies were held in October, 1977. The new house stands out against the horizon above its neighbors, conspicuously detracting from the atmosphere and visual environment of the existing Park. The pond is equally visible and out of place and the quacking of ducks violates even the audio environment. Those who have visited the site in the past will appreciate the contrast of such development with the previous environment in that area.

Visual environment

Chosen and fortified for its strategic significance, Bemis Heights battlefield is also a place of striking natural beauty. A panoramic view extends across the Hudson River. The entire region is very scenic and still largely undeveloped.

Gates' Hdq. Site

As a result of the latter, I am told that the present Park contains the only Revolutionary battlefield in the country which appears essentially the same as it did 200 years ago. It would be a tragedy to fail to preserve this condition, especially in the area which has always been the focal point of interest for American visitors, as early accounts record. The Ephraim Woodworth farmhouse, one of the better houses of the area, remained standing until about 1840. Woodworth served as a captain in the 1 th Albany County Militia, in which two of his sons also served at the time of the battle. The Woodworth house served as Gates' Headquarters , the barn as the American field hospital, as also possibly a weaver's shed on the property.

I am told by William Price, owner of the Gates' Headquarters tract, that only a change in his daughter's plans when she was married in 1964 prevented construction of a house over what appears to be the foundation of the Woodworth house. He says it is a lovely residential site for which he has had many offers.

Mr. Price also told me that when the present Route 32 was extended north along the western Park boundary in 1960, a knoll used as a British lookout was bulldozed and flattened, an example of the disregard for historical factors in public as well as private development.

Eastern boundary areas

On the eastern boundary of the Park, the proposed 13 acre tract for fee acquisition was the site of the American river fortifications, whose importance has already been mentioned. This land would be donated by New York State.

Along much of the eastern boundary there are 445 acres sloping down towards the river which are not presently in the Park but are an integral part of its visual environment. That this is so is attested to by the sacrificial contribution made by the Nature Conservancy in preserving another tract in this area when it was for sale 7 years ago(see map attached). The proposed tracts are still used for dairy farming, and S.1540 would by scenic easements ensure that this continue.(The desire of the owner that less than fee acquisition be possible was a cause of impasse several years ago when the Park Service refused to consider this. Adjustment of this issue when the present bill was drafted is one of the fruits of the intensive negotiations which occurred at that time.)

The bill also provides for donation of 29.5 acres of county land along the highway, Route 4, running through this area. The blank space on the attached map to the east of this road is flood plain and therefore will never be developed.

Two small residential tracts proposed for fee acquisition along the road in this area should also be noted. Their owners wish to sell, One of them, Mr. Holmes, has died since this bill was introduced and his property is now up for private sale. The government should realize that people cannot wait forever nor can the land itself.

All of the land requested for less than fee acquisition also figured in the battle action. As noted previously, we have been unusually fortunate in being able to keep the 18th century visual environment of the entire region without special preservation until now. As one drives north up Route 4 along the river and enters this area, one does not need either a guidebook or much imagination to sense what it must have been like in 1777. This is an increasingly rare experience in the country today and we must not be the generation which forfeits it through negligence for those who follow us.

Regional development

In recent years development of the region has been steadily expanding, especially since completion of Interstate 87, the Northway, from Albany to Montreal in 1967. Also, a more recent arterial has been built along the river nearer Albany to speed traffic in that area. It is now possible to live on Bemis Heights and commute to the Capital District (the three cities of Albany, Schenectady, and Troy, N.Y.), as does Mr. Burdyl testifying here today. Northway traffic reflects the increasing accessibility of year round vacation areas to people south of Albany. One can now readily make a weekend ski trip to this part of New York and adjacent Vermont from as far south as New Jersey. Many now own vacation homes, and hotels, motels, and restaurants also obviously benefit.

The city of Saratoga Springs, 12 miles northwest of Bemis Heights, has been noted since Indian times for its mineral springs. It was a fashionable 19th century spa and horseracing center and continues to flourish as a resort and college community, especially during the summer racing season. The Saratoga

Performing Arts Center was built in 1965 (concurrently with the lower part of the Northway) and is the summer home of the New York City Ballet and the Philadelphia Orchestra. It draws crowds all summer from a wide area. In August the famous Saratoga racetrack, oldest in the country, does the same. I understand a convention center is now being planned for Saratoga Springs.

These factors make these northerly areas increasingly desirable for year round residential development, with all of the auxiliary development which accompanies this. Rural areas along the highways between the larger towns bear this out. Unfortunately, as is usual in such areas, development takes many forms.

Buffer acreage

Because of the obvious probability of this as long ago as 1948, plus the significance of these lands directly for the battle action, the 1948 legislation which established the Park also provided for buffer acreage, considerably more than is now proposed (see attached fact sheet). None has been acquired to date, however, and if the present bill is not enacted doubtless none will ever be.

Zoning

The present inadequate zoning around the Park increases the dangers posed by incomplete preservation of historic areas and lack of buffer acreage. An attempt was made in the early '70's to create an "historical zone" which would have limited land use to agricultural. Local sentiment defeated this idea in 1974, however, resulting in present zoning. The latter prevents heavy industry, apartment buildings, and some commercial enterprises, but allows the destructive bulldozing of residential development, also trailers, greenhouses, sand and gravel excavation, sanitary landfill, and public buildings.

Western boundary area

On the west side of the Park, buffer acreage originally included in the 1969 Master Plan for Land Acquisition has been eliminated (along with similar acreage along the Park's northern boundary). The remaining 35 acres in fee were the site of an important part of the battle action, the beginning of the Oct. 7 conflict.

Eastern scenic easement areas (less than fee)

Unlike most of the privately owned fee areas, the less than fee tracts included in the bill are not now in immediate danger of destruction. It is apparent, however, that in future they undoubtedly will be. The younger generation of farm families in this area, of which Mr. Burdyl here today is an example, are increasingly choosing other occupations. It would be a tragic loss to all future visitors to Bemis Heights to fail to protect these eastern boundary areas. The river and the river road are central to understanding the actions of both armies in 1777. The visitor should be able to experience this area without the upsetting incongruities of a strip of modern development along the road and river. I am reminded not only of Gettysburg, which has become the classic example of lack of planning adjacent to an historical park, but also of the village of Lake George, N.Y., not far north of Bemis Heights. This community is steeped in the history of the French and Indian War, which inspired James Fenimore Cooper's novel The Last of the Mohicans. Anyone wishing to see the locations of the 18th century battle actions or those of Cooper's characters would find them difficult to discern in the maze of motels, restaurants, and miscellany which clutters the area, though the timeless beauty of mountains, lake, general terrain, and at least some trees remains unchanged. The fact that part of the area is now a State Park only makes the contrast more marked.

Schuylerville tracts

The Schuylerville property belonging to the Park was donated in 1948. It is maintained and administered jointly with the Schuylerville Historical Society. Of the additional land around the Schuyler House proposed by the present bill, all will be donated by New York State except about 4 acres which are privately owned. In addition to its significance as part of Gen. Philip Schuyler's estate in 1777, this land also had a role in the battle.

After the Bemis Heights action, Burgoyne and his exhausted troops were forced to retreat north up the river road in the rain on Oct. 8. They camped at Schuyler's estate just south of the present village of Schuylerville (then called Saratoga), then burned the buildings on Oct. 10 to destroy them as a cover for the pursuing Americans. Burgoyne then occupied a fortified position to the northwest of the estate. This area adjoins what is now a cemetery , in which is located the Surrender Monument, now known as the Schuyler Monument. This was erected for the battle centennial in 1877 and has recently been transferred to the Park Service by New York State.

Surrender sites

It should be noted in connection with military action at Schuylerville, or Saratoga asit was then known, that the two most significant sites are <u>not</u> owned by the Park, and under terms of the present bill, which fixes a permanent bounday, never will be.

There is some controversy about the precise location of both of these and further research is now being done. Recent acquisition of a valuable microfilm by the Park, containing detailed accounts of the battle which were sent to Germany by Hessian soldiers, may shed light on this. One is the site of the actual sword surrender by Burgoyne to Gates, generally agreed to have occurred about a mile south of Schuylerville. It is estimated that present day Route 4 passes over it. The other is the field where British troops stacked their arms. A state sign marks it as being on the former parade ground of ruined pre-Revolutionary Ft. Hardy, located in Schuylerville by the river. This is now a village owned baseball field. Recent evidence suggests that it may actually have been south of this in a field behind the Schuyler property now occupied by a supermarket.

Considering the pre-eminent importance of the Convention of Saratoga to our nation and to the world, it is ironic that such sites, like that of Gates' Headquarters on Bemis Heights, should have been till now largely unrecognized, uncelebrated, and in danger of degradation. How different today at Yorktown and Appomattox, yet these victories could never have occurred without Saratoga.

Schuyler estate

The preservation and interpretation of the Schuyler estate is of significant historical and cultural importance in its own right. Schuyler, like Washington, was a man whose achievements in military and public life never replaced concern for his country estate. An enterprising builder, farmer, and businessman, he introduced the linen industry to North America. The first family home at this location was burned in the French and Indian War, the second by Burgoyne on Oct. 10, 1777. Schuyler immediately began rebuilding, however, and much of the present house was completed by the end of that year. The proposed additional acreage will complete and unify preservation of the estate. I should mention that the settlement of Saratoga came into being only as a result of needs of the estate.

Terms of bill

In all, I think it may be fairly said that the present bill is a modest one, both in acreage and estimated cost. The NPS considers it the minimum possible to preserve the important areas described in the foregoing. As a citizen who has been closely associated with this effort for several years, I agree. If all those who read this could see these areas for themselves, I believe they would also.

Legislators familiar with the acreage of other federally owned historic sites will recognize that Saratoga, despite its pre-eminent significance, is considerably smaller than many. The original authorization, specifically designated and conservative in acreage, included 2600 acres. This did not, of course, include the Schuylerville (Old Saratoga) property. The present bill proposes a total of 3407 acres, less than 1000 acres more than the original, and considerably less than the 5500 unspecified acres authorized in 1948.

Cheers!

The fruit of much local input, it represents scaled down buffer acreage, and establishes a permanent boundary for the Park. Yet I believe it does meet the basic needs discussed above. I think all who have worked so hard on it, NPS, local parties, other concerned citizens (the "wider public interest"), and legislators, should feel gratified by the result of their effort. As an example of our system of government in action, it is in itself a fitting bicentennial tribute to the great event it commemorates.

Citizen Concern

In conclusion I should like to mention the long record of documented citizen concern for preservation of Bemis Heights. The absence of any memorials on the battlefield was a subject of concern at the time of the centennial in 1877 , when the Surrender Monument in Schuylerville was dedicated. In 1883, a group of private citizens erected 7 granite markers on the Heights to mark important sites. One of these is on Mr. Price's farm and marks 'Gates' Headquarters. It is fortunate today that this was done since for reasons no one seems to know there has not been a New York State metal historical marker at this point on Route 32 for many decades. (I consider this a major contributing factor to the present bad situation.) For over 10 years the State has assumed no responsibility for such markers.

In 1923 the Saratoga Battlefield was formed following a resolution adopted by the National Society of the Sons of the American Revolution. This private group bought the first land parcels for preservation, which became the nucleus of the State Park in 1927. Major efforts by the SAR, DAR, and many other patriotic and fraternal groups and prominent citizens, plus years of work by the local Congressman, resulted in Federal authorization in 1938.

The original law states that the Park, when established, "shall include" the areas it specifically designates. IS IT NOT REALLY A VIOLATION OF BOTH THE SPIRIT AND LETTER OF THE ORIGINAL AUTHORIZATION TO FAIL TO PURCHASE ONE OF THESE AREAS FOR OVER FORTY YEARS? As a citizen I was shocked by this, and still am. This is an irreplaceable part, not only of the American heritage, but of that of free peoples all over the world. The words of Col. H.L. Landers to a Congressional committee in 1930 remain true: "This battlefield is not properly the possession of any one state. It should belong to the United States and be developed as a national shrine."

In the current effort to communicate citizen concern to Congress, many groups have been represented including the following:

National Society Daughters of the American Revolution (Resolutions adopted 1924,1981)
" " Sons " " " " ( " " 1923, 1982)
National Organization Sons of the Revolution
" " Polish American Congress, Inc.
Society of the Cincinnati (Male descendants of Continental Army officers, founded in 1783, George Washington first president)
National Organization Company of Military Historians
American Scenic and Historic Preservation Society
Polish National Alliance
N.Y. State American Legion
" " American Revolution Bicentennial Commission
" " Mayflower Society
Council on Tourism of the N.Y. State Business Council
Schuylerville Historical Society
Lake George Institute of History
17th Albany County Militia
13th " " " (Bemis Heights unit in 1777)

We are grateful to Sen. Moynihan for recognizing the critical importance of timely action.

Respectfully submitted,

(Mrs.) Nancy S. Childs
Chairman, Citizens' Advisory Committee
for Saratoga Battlefield

7 Circle Lane
Albany, N.Y. 12203

Tel. (518) 438-1652

# NATIONAL PATRIOTIC PARK

PROPOSED BY

## SARATOGA BATTLEFIELD ASSOCIATION

A people that take no pride in the noble achievements of remote ancestors, will never achieve anything worthy to be remembered with pride by remote descendents.—*Macauley.*

Printed in 1920's. From files of the Stillwater, N.Y. Town Historian.

A Section of the Big Ravine

## *Preserve these Sacred Grounds*

THERE are many good reasons why the Saratoga Battlefields should be converted into a National Patriotic Park. Someone once said: "I should be glad if I were as accurate about anything as Macauley was about everything," and, in a very large degree, Macauley deserved the fine compliment. He was accurate in his statements, and generally sound in his judgment. And Macauley said: "A people that take no pride in the noble achievements of remote ancestors, will never achieve anything worthy to be remembered with pride by remote descendents."

The English historian, Creasy, declares the battle of Saratoga was one of the fifteen decisive battles of the world. Timothy Dwight, educator, president of Yale College from 1795 until the time of his death, in 1817,

96-059 O—82——5

THE FREEMAN FARM, LOOKING TOWARD THE BIG RAVINE

visited the battlegrounds in 1779, and wrote of them: "Future travelers will resort to this spot with the same emotions of which it is the perpetual memorial." He expressed the belief that the transactions at Saratoga were "immensely more important to succeeding generations than were those transactions of the plain of Marathon, that immediately affected the states of Greece only—few in the number of their inhabitants, and comprising but a speck of territory."

Prominent Americans—members of the United States Senate, of the House of Representatives, of the President's cabinet, and of banking, industrial and business organizations—have expressed the same views, and endorsed the work of the Saratoga Battlefield Association. The battlegrounds where the American soldiers fought, made into a National Patriotic Park, will serve as an inspiration to visitors, and teach the lessons of patriotism. Do we not need more of that national sentiment which remembers reverently the deeds of sacrifice which made this Republic possible?

# SARATOGA BATTLEFIELD

## RESOLUTIONS

**Adopted by the Thirty-Third Continental Congress National Society**
***Daughters of the American Revolution***
**at Washington, D. C., April 14-19, 1924**

WHEREAS, The battles of Saratoga, fought by American soldiers September 19th and October 7, 1777, gave the first clear hope to the American revolutionary cause; and

WHEREAS, These victories changed sentiment on this continent and in Europe toward the chances for American success; and

WHEREAS, Saratoga, in history, represents the turning point in the struggle for American freedom, making Yorktown possible, and giving a new idea to the world in the form of free government; therefore, be it

RESOLVED, That the Daughters of the American Revolution in Continental Congress assembled, express their endorsement of the national movement being undertaken to convert these sacred and historic grounds into a national park worthy of the great Republic which is the result of sacrifices made there by American patriots; and be it further

RESOLVED, That we recommend that Chapters become interested in this movement and do all possible to bring about its success.

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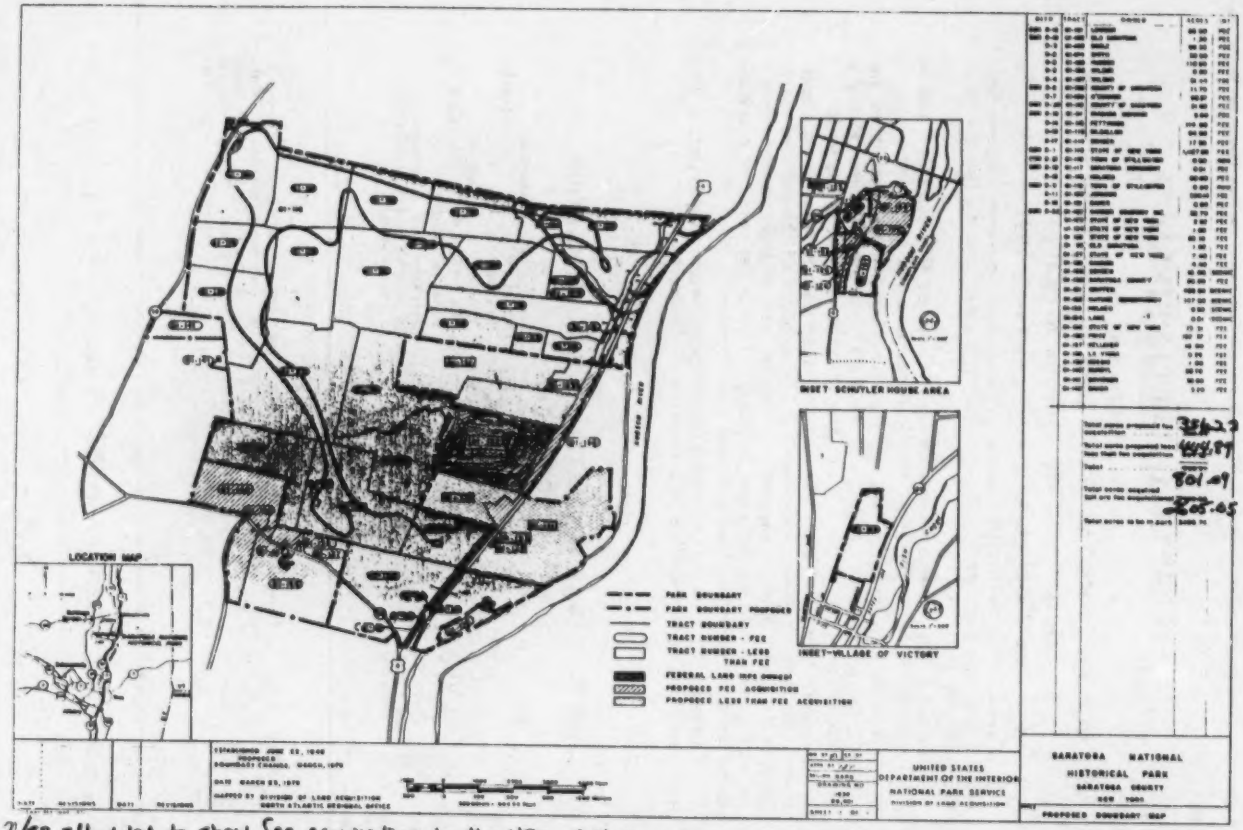
Washington I. Lincoln Adams, Louis Annin Ames, John A. Bidwell, Clarence F. Birkett, William Bell Boothby, Oliver B. Bridgman, Raymond Goodrich Dann, Harriet Brown Dow, Edward Reuben Foreman, Clara Andrews Hale, Alice Bush Kennedy, Marvin H. Lewis, Stewart MacFarland, Charles Edwin Ogden, Samuel Chase Pierce, George Burrows Sage, Peter G. Ten Eyck, Florence Ball Van Wie, William B. Webster, Charles Hastings Willsie, Anna Babcock Yates.

Resolutions reaffirmed May 2, 1981 by National Society D.A.R. in Washington, D.C.

Resolution endorsing S. 1540 adopted Sept. 23, 1981 by N.Y. State Organization D.A.R. in Buffalo, N.Y.




2/82 - Updated to show fee acquisition by the NPS of Nature Conservancy tract, also Schuyler Monument Co-12

G = Gates' Headquarters 1777, at center of American camp.

LEGISLATIVE BACKGROUND AND ACREAGE STATISTICS FOR S.1540 - H.R.4687 TO COMPLETE PRESERVATION OF SARATOGA BATTLEFIELD

Legislative Background

The current bill is based on seven previous Federal laws as follows:

1) 1888 - The law of eminent domain, which affirms the right of the Federal government to certain lands "in the wider public interest".

2) 1916 - The National Parks Act, which incorporates #1) as essential to its conception and implementation.

3) 1938 - Authorization of Saratoga National Historical Park, transferring ownership of the State Park on the site to the Federal government. Also authorizes purchase of additional specific tracts, including the Gates Hdqs. area now in jeopardy, with donated funds, utilizing #1) above if necessary. (Latter necessary for 5 tracts so purchased at that time.)

4) 1948 - Establishment of SNHP. Also authorizes addition of Schuyler property (non-adjacent) donated at that time. Also affirms need for buffer acreage and increases total potential Park acreage to 5500 unspecified acres within Saratoga County. (Only one small area so acquired in next 30 years but terms of the legislation aroused public resentment.)

5) 1965 -- Land and Water Conservation Fund Act, authorizing appropriated funds for National Park land purchases. Subsequent NPS policy has specified that local awareness and participation in decision making be involved in drafting all such proposed legislation.

6) 1970 - Uniform Relocation Assistance and Land Acquisition Policies Act (PL 91-646). (Also, 1973, a Park Service handbook on relocation assistance.) Specifies options and reimbursement available to those moving from lands sold to the Federal government. Assures fair treatment by the government .

7) 1976 - PL94-565. Specifies partial payment in lieu of taxes to local governments be made by the Federal government as compensation for lost tax revenues from lands purchased by the National Park Service.

The current bill reflects the foregoing, and all requirements of same have been met. Several re-checks by Rep. Solomon in the past two years have demonstrated the soundness of the bill. His 5/14/81 memo made clear that he does not support the negative position of the William Bakers, the only dissenting landowners, in the matter.

In the case of easement transactions (purchase of development rights only), present local taxes continue in full. Federal compensation is over and above this amount. Over half (445 acres) the land covered by the present bill is in this category. Of the remaining 359 acres, all except 82 already tax exempt acres will qualify for partial payment in lieu of taxes by the Federal government. Only these 277 acres will be removed from local tax rolls.

Acreage Statistics

The 1948 legislation provided for a total Park potential of 5,500 acres. Present bill specifies 3,407 with fixed boundary, a decrease of 2,093 acres. Present acreage is 2,603. The 804 acre increase provided by the present bill (over half in easements, in which owner retains title and also tax liability) is less than 1/3 of the potential increase of 2,897 acres provided by the 1948 legislation. Instead of more than doubling the size of the Park (from 2,603 to 5,500 acres), it is an increase of less than 1/3 (from 2,603 to 3,407 acres) of that amount, and less than 1/3 the size of the present Park. Omitting easement areas the increase is 359.04 acres, less than 1/7 of present Park and less than 1/8 potential increase specified in 1948.

11
9/23/81

**INFORMATION RE SENATE BILL #1540 and H.R. Bill #4687 - TO COMPLETE PRESERVATION OF SARATOGA BATTLEFIELD, BEMIS HEIGHTS, STILLWATER, N.Y.**

SIGNIFICANCE OF BATTLE

1. The victory of American patriots at Saratoga (or Bemis Heights as it is often called), their first over a major British army, was the undisputed turningpoint of the Revolution. Prior to that the possibility of an American victory was remote, but as a result of Saratoga, France became an ally. Bemis Heights thus became in a very real sense the birthplace of the nation, and the battle there one of the critical conflicts of world history.

VISUAL

2. Visually, it is still an unspoiled and magnificent site, in itself conducive to reflection and inspiration. It was selected and fortified in 1777 by Polish military engineer Col. Thaddeus Kosciusko. If the land presently in imminent danger of development is not now secured, however, the visual environment of the present incomplete American sector of Saratoga National Historical Park, site of Bicentennial ceremonies in Oct. 1977, will be irreversibly changed and ruined.

HISTORIC

3. In addition to its importance to the visual environment of the present Park, the land area covered by S. 1540 (H.R. 4687) is one of the most historically significant parts of the entire battlefield, being the site of much of the American encampment of 20,000 men, a key part of the fortified line, Gen. Horatio Gates' Headquarters, and the field hospital.

AUTHORIZED IN '38

4. The original National Park authorization by Congress in 1938 was the result of citizen concern for the area dating back to 1880, now 100 years ago. The area now in jeopardy is the only part of the land originally authorized which was not purchased (due to lack of donated funds) over 30 years ago. It is a small area as Park lands go but unique and irreplaceable. Failure to secure it now would violate both the spirit and letter of the 1938 Act of Congress which affirmed that the battlefield and related areas should be set aside for the inspiration and enjoyment of all Americans.

LAST CHANCE

5. Developers have already drawn their plans and made their offers to the landowners. If the Federal government cannot act now there will be no further opportunity. Elderly farmers are retiring and will be selling. 3.2 acres of the most important land have already been developed (and thus will not qualify for funding with public funds, under the present budget, even when authorized).

DISGRACE

6. It will be a disgrace to our generation of citizens, and especially to our political leaders, if this nonpartisan bill is not passed and funded, thus causing this hallowed site to be lost forever to the nation. It is assumed there are gravesites near the hospital location. Ironically, on the opposite side of the Park, the sites of the British and Indian camps of 1777, Gen. Burgoyne's Headquarters, and the British lines, are within the Park boundary. It would have been appropriate to mark the Yorktown victory bicentennial this fall with final preservation of Saratoga Battlefield. It would be especially disgraceful this year to fail to do so.

Nancy S. Childs, Chairman
Citizens' Advisory Committee
for Saratoga Battlefield

(518) 438-1652

7 Circle Lane
Albany, N.Y. 12203

7 Circle Lane
Albany, N.Y. 12203
April 30, 1982

Senate Subcommittee on Public
Lands & Reserve Waters
3104 Dirksen Senate Building
Washington, D.C. 20510

Att: Tony Bevinetto

Dear Tony:

I appreciated the recent opportunity to testify on behalf of S.1540 and to meet you personally on that occasion.

I have found a few "typos" in my written testimony which I did not have time to correct before the hearing, as follows:

p. 3, second marginal note should be "land" not "and" (copying cutoff)
p.4, par.5, line 1 should read "less than fee"
p.7, par.5 line 1 should read "Saratoga Battlefield Association"

Also, among the national supporting groups listed should be the National Parks and Conservation Association, and the Council on America's Military Past (CAMP).

Saratoga will be on the agenda of CAMP's 16th annual Military History Conference currently in session in Charleston.

The enclosed list of landowners supporting the legislation has been obtained since the hearing at the request of Rep. Solomon and confirms the earlier support cited in the fee area and virtually all (429 out of 445 acres) of that in the less than fee area. One half acre residential tract there has recently changed hands due to death of the owner and is now for sale by the new owner who is not sure what position to take on selling an easement to the government. The owner of another tract (15 acres) is inaccessible and will have to be tracked down by the courts for compensation.(The present resident appears to be a squatter.) The remaining landowner (half acre) has withdrawn his support and is now very negative toward the Park in general.

I hope that the subcommittee now has all the information needed for action on the bill. Time is running out for some of the landowners such as Mr. Price (age 75) , who is now in the hospital.

Our thanks again for the hearing.

Sincerely,

Nancy Childs

(Mrs.) Nancy S. Childs
Chairman, Citizens' Advisory
Committee for Saratoga Battlefield

Tel. (518) 438-1652

4/19/82

Honorable G. B. Solomon:
323 Cannon Bldg.
Washington, D.C. 20515

The undersigned land owners hereby register their support of Senate bill # 1540 and house bill # 4687 for purchase of their land by the government to complete preservation of the Saratoga Battlefield

1. William H. Price & Clara H. Price
2. Anthony Burdy & Theresa Burdy
3. Patrick Lavigna
4. Keith Kusiw Susan A. Kusiw
5. Gannon Property (deeded Church of Visitation) - Mrs. O'Leary
6. Kelliher Estate - *
7. Sally A. Davidson
8. Phillip J. Griffen (covenant) has authorized his name on this petition in support of this legislation. He will confirm this at (518) 584-7869.
9.
10.
11. * This Estate desires to sell the property to the Federal Government, and supports the above legislation.
12. Hon. Neil Kelliher, Assemblyman the State of New York; brother of the deceased owner will confirm the Estate's support. He can be reached at (518) 235-2915

Senator WARNER. We will now hear from two gentlemen, Mark Burdyl and Jeff Burdyl.

**STATEMENT OF MARK BURDYL ON BEHALF OF MR. AND MRS. ANTHONY BURDYL, LANDHOLDERS, STILLWATER, N.Y.; ACCOMPANIED BY JEFF BURDYL**

Mr. M. BURDYL. Let us remember clearly the principles that the American colonists gave their lives for at Saratoga. They fought not just for homerule sovereignty from England, but for a new experiment in republicanism, a democracy whose duty it is to hear the petitions of the individual, of the minority, as much as it is obligated to entertain the voices of the many comprising the majority.

Senator WARNER. Let me just interrupt. We will not have time this morning for you to read your statement.

Mr. M. BURDYL. Oh, I have condensed the rest of it down.

Senator WARNER. We are going to put it in the record. If you would just sort of, you know, look at me and give me your views on this, I would be most appreciative.

Mr. M. BURDYL. OK. Well, if I might skip through part of what is already in the record as the written testimony, there are a couple of points I would like to make.

First of all, our father grew up on revolutionary soil on 01136 as a boy and now we farm on tract 01140 which is the American left flank, which is as you probably are aware the site of the fortifications designed and constructed by Polish Colonel Kosciuszko and where the largest number of American soldiers were located when they engaged the British.

Over the last 10 years we have had nothing less than very numerous offers to sell our land to private developers as residential, and we have also been approached by developers as thoroughbred horse-breeding facilities. As you may be aware, New York State has put a tremendous amount of money and emphasis behind its thoroughbred and standardbred breeding programs, and being in the vicinity of the historic Saratoga racetracks, the acquisitions of hundreds of acres of farmland by absentee owners has already taken place which has resulted in the construction of substantial structural facilities needed to upkeep standardbred and thoroughbred breeding facilities, so we have a very real threat of environmental destruction around the park boundary.

It threatens environmental destruction, and it also threatens purchase tracks specifically 01140 and 01136 because like some of the other landowners, my father and the owner of 01136 are reaching their later years. My father is 66 years old and he would like to see the park added in his lifetime, our land added to the park in his lifetime, and quite frankly I don't know how much longer he is going to be around, and we certainly can't wait for decades for the National Park Service and the administration to act to acquire these lands.

I think it would be personally a travesty to let these lands go uncompleted to the park and fall into the hands of development concerns. However, in lieu of action by the U.S. Government, there is

no question that at some point in time the lands will fall into private development if the Park Service does not purchase them.

This leads us to the National Park Boundary Revision bill, S. 1540 introduced by Senator Moynihan. We feel in a general sense the bill is very good and strongly supportable, clearly stating the intent of the United States to preserve these certain lands historically associated with the Battle of Saratoga.

However, as good as this bill is overall, we feel it does leave vague an issue which is of vital importance to our family and all the landowners involved. The interpretation to be made by the Secretary of Interior as to whether to use negotiated purchase or the eminent domain process to obtain the fee simple titles to the land is not clear to us. We have looked at copies of the bill and it does not specifically mention either one.

It would be especially shocking to the preservation efforts of my family and other landowners if condemnation proceedings are enacted against the two largest tracts, 01136 and 11040 as I previously mentioned. This would unquestionably be a travesty to the whole purpose of fighting an English government who was rather arbitrary and capricious in its actions without regard or respect to those impacted by its laws in the first place. We wouldn't like to see the United States fall into the same trap.

We would like to propose a simple solution to the otherwise thoroughly commendable legislation. The solution is a minor addition of words. Again this would be from the current Federal regulation's of the National Park Service. It would be included after the word, "exchange" period, on line 4. The wording would be, "The Secretary will make every effort to seek negotiated settlement wherever possible before the initiation of condemnation."

The simple sentence to be added would literally do wonders to clarify the legislation because it would enable the landowners who are unclear about what the purchase actions would be at this time, it would enable those landowners to clearly understand how their land is to be acquired and what the consequences of failing to reach a negotiated purchase would be, and it would also have the benefit of clearly spelling out to the Interior Department how they are to pursue the purchase of the properties so that there will be no mix-up in interpretation. There will be no interpretation. Necessary policywise to decide whether to go with condemnation or negotiated purchase.

We feel that negotiated purchases are the only fair way of obtaining of at least the two largest tracts and probably most of the other tracts. We are aware, as you have already been made aware, that there is one landowner of a 3 acre tract, 01142, who is expected to resist the purchase entirely. In this case, condemnation proceedings will be necessary and would be properly justified by the United States.

Thus we recognize the necessity for the right to use eminent domain, but we again stress the importance of a negotiated purchase.

I would just like to basically read my summarization which is about a page and a half, not even a page long, because it might bring out the——

Senator WARNER. Take your time.

Mr. M. BURDYL. Final aspects of what we feel about the bill.

In summary, this is what we as the owners of the vitally important historic tract 01-140 have come these hundreds of miles to testify to you, that yes, we adamantly support the legislation proposed in S. 1540 but with reservations about the delaying effects of the aforementioned vague wording. We have suggested specifically clear additional language which is sure to improve the bill's passage through Congress and clarify the situation with reluctant landowners in the area.

It would specifically direct the policy of the Secretary of the Interior, the National Park Service, and be respectful to the landowners whose stewardship to this historic site deserves consideration. I feel this is a very important point because we have in the past decade, most of the activity as far as purchasing has come about in the last 5 to 10 years, but even before that, we have had offers to purchase our property. I know the other large tract, 01136 next door to us, has also had purchase offers and has land up for sale.

We have both gone through extreme efforts to defer negotiating agreements or purchases with private individuals on the basis that we have been holding out for the National Park Service to add this crucial property to the lands in the national historical park. This wording would also be in keeping with President Reagan's pledge that Government be more responsive to the people and less like a powerful and arbitrary giant. It sounds much like the democratic dream that those courageous American colonists were fighting for when they faced the guns of the British Army. They would be proud to see this democracy at work today, and the completion of the battlefield at Saratoga.

Although the National made much of the recent bicentennial celebration of the Yorktown victory, let us pause for a moment to remember that without victory at Saratoga, Yorktown probably would not have happened.

Senator WARNER. Your point is well taken.

Mr. M. BURDYL. Again I would just like, going back to the point about President Reagan's pledge, he did pledge in his campaign to reduce the size of Government and to make it more responsive to the individual constituency across the Nation. The comments of the National Park Service this morning would tend to contradict that and make them seem like an insensitive body. I would hope that they wouldn't be in their policy.

Senator Warner, thank you for your consideration in the hearings today. If you have any questions, we would be pleased to answer them.

[The prepared statement of Mr. M. Burdyl follows:]

The TESTIMONY of Mr. MARK A. BURDYL and Mr. JEFFREY J. BURDYL as representatives on behalf of MR. and MRS. ANTHONY R. BURDYL, who reside at R.D.#1 Stillwater, New York 12170, submitted on this 15th day of APRIL, 1982

to:

a HEARING of the SUBCOMMITTEE on PUBLIC LANDS and RESERVE WATERS of the SENATE ENERGY and NATURAL RESOURCES COMMITTEE to be held in session on the 15th day of APRIL, 1982.


ABSTRACT of TESTIMONY

April 15, 1982

The testimony contained in the attached text represents the views of affected landowners, specifically the Burdyl family, whose land is to be acquired by the Saratoga National Historical Park. It contains the opinions and comments regarding the historical significance of tract No. 01-140, current pressures on the owners to put their historic land up for sale to residential and agri-commercial interests and the overall urgent need for enabling legislation. Legislation as contained in Bill S.1540 to permit the Department of the Interior to purchase the battle-field areas currently endangered.

Vague wording in S.1540 which threatens to both ultimately delay the implementation of the legislation and lead to potential undignified treatment of the current landowners is pointed out in specifics.

Equally specific additional wording is recommended to the committee to clarify the method of implementing the purchases of the lands under this Bill, and thus decrease Congressional and grass-roots opposition to the Bill. The additional wording will also speed implementation of the land acquisitions, resulting in completion of the historic battleground to the satisfaction of all parties involved.

The Summary reaffirms support for the Bill S.1540 by the Burdyl family, the importance of the clarifying wording and the Bill itself.

TESTIMONY of MARK A. BURDYL and JEFFREY J. BURDYL
on behalf of MR. and MRS. ANTHONY R. BURDYL on this
15th day of APRIL 1982

to

a HEARING of the SENATE SUBCOMMITTEE on PUBLIC LANDS
and RESERVE WATERS.

HONORABLE MR. CHAIRMAN and MEMBERS:

Let us remember clearly the principles that the American colonists gave their lives for at Saratoga. They fought not just for home rule soverignity from England,but,for what led to a new experiment in republicanism. A democracy whose duty it is to hear the petitions of the individual,of the minority, as much as it is obligated to entertain the voices of the many comprising the majority. The freedom won at Bemis Heights and so later nurtured throughout the orginal colonies recognizes that people,not masses exist,and that those liberties and rights afforded to the individual are emplaced to guarantee that his voice,his grievance will be heard even at the highest levels of government contained in these hallowed halls.

Gentlemen, this is what brings us here before you today. We seek to exercise that right of individual petition on benalf of ourselves and of our family whose future is directly tied

to your decisions and that of your colleagues. Our father grew up on revolutionary soil, on tract #01-136 (attachment #1), and living now on tract #01-140(the American Left flank) has lived on the historic grounds of Saratoga all his life, some 66 years. He and our mother have spent the last 35 years of their lives tilling the historic fields as agricultural land. Land that he has hoped to see added to the national battlefield someday. The Battlefield was transferred from the State of New York to the United States when enacting legislation had been signed into law on June 1,1938. Then President Franklin Roosevelt recognized at that time the importance of Saratoga as a national shrine. That recognition is still evident today in the form of Bill no. S.1540.

We and our parents have put much of our lives into the work of dairy farming on tract #01-140. Having been a good and cooperative neighbor with the National Park Service, we feel that fair treatment of our concerns,for our welfare, is important and is the least that the United States can do to acknowledge the responsible stewardship we have provided to the historic land contained in this acquisition bill. Although we have had numerous offers in the last ten years to purchase our land at a healthy price, we have deferred any sale, instead waiting for the Park Service to act. We prefer that the farm be used to

complete the Battlefields fortifications in the area of the American left flank. That American left flank contained the fortifications designed and constructed by the Polish Colonel Kosciuszko and held camp for the largest number of American soldiers who stood firm and engaged the British.

However, in the last few years events affecting our farm and land have changed which threaten to significantly increase the difficulty in completing the Battlefield site. Our parents have now retired from the dairy farming of past years and now supplement their income with raising cash crops. However, in the near future our father will probably not be physically capable of continuing this activity. In view of these circumstances and continuing government inaction on legislation to permit the National Park Service to purchase fee-simple title to our land, recent offers by residential developers as well as developers of thoroughbred horse breeding facilities have put increased pressure on my parents to sell somewhere other than to the park. Certainly the burden of local property and school taxes at the rate of over $2500.00 per year do not make it easy to hold on to the farm. And we are not alone, other major and minor landowners under the acquisition plan, such as the present owner of the adjacent large tract #01-136, are reaching such elderly ages where they are being forced to

make a decision as whether to wait yet longer for the National Park Service or transact a potentially more attractive offer resulting in residential or agricommercial development. The local zoning of the historic lands in question allows residential/ agricultural development. Newfound emphasis and aid for New York State's rapidly developing thoroughbred and standardbred breeding programs have already caused the acquisition of hundreds of acres of farmland by absentee owners near the historically renowned Saratoga thoroughbred and harness tracks. These breeding farms require substantial structural facilities to be constructed and their eastern expansion into the vicinity of the Battlefield is inevitable and is happening today. Residential development in the area,although stunted by recent economic conditions will most certainly be a threat in the future to these lands the Park Service seeks to acquire. One of the most recent residences in fact occupying tract #01-142 on the Acquisition map is only about three years old. Therefore it is crucially important for members of this committee and of the general Senate and House of Representatives to realize how urgently responsible legislation is needed to complete the orginal 18th Century Battlefield. The Battles of Saratoga not only bolstered the morale of the Revolutionary Army all across the colonies and its chief general, George Washington, but turned a relatively local British uprising into an international conflict.

The threat of the environmental destruction by modern civilization to this 18th Century topography is very real and this cannot be overemphasized. Already the status of tract #01-118 is in doubt, as the previously retired owner has recently passed away and his land is up for sale to the highest bidder. The elderly owners of the major land tracts are already facing pressures to sell. Gentlemen, this would not be happening if Congress had acted in a more timely fashion and enacted the necessary legislation years ago. The urgency for such legislation has surely increased.

However, let us be clear in the intent of the S.1540 legislation as introduced by Senator Moynihan. Although the timeliness and need for legislation is of the essence, it is important that it be clear that fair treatment of the landowners by the Congress is the least that can be done for the gratitude that the rest of the Nation must have for the efforts of my family and other tract holders to preserve the 18th Century character of the battlegrounds while making the modest living that we have.

The Saratoga National Historical Park administration can document to you the tens of thousands of Americans who visit the Park annually to gain a sense of the pivotal significance of the Saratoga battles to the defeat of the British regular army and the success of the American Revolution. These visitors from across the country are living evidence of the interest and appreciation that Americans have

for the battlegrounds as they are now,and will be in the near future with the passage of S.1540. It is only right and just, therefore, that the landowners who will be giving up their lands for the completion of the park be treated with the respect and appreciation that they deserve.

This leads us to the Saratoga National Historical Park boundary revision Bill S.1540,being considered by this committee,as introduced by Senator Moynihan. We feel that in a general sense, the Bill is very good and strongly supportable,clearly stating the intent of the United States to preserve "certain lands historically associated with the Battle of Saratoga".

However, as good as this Bill is overall, it does leave vague an issue which is of vital importance to our family and all of the landowners involved. That is the interpretation to be made by the Secretary of the Interior as to whether to use negotiated purchase or the eminent domain process to obtain fee simple title to the land. Although we agree that there will probably be a necessity for the use of the eminent domain process in obtaining title to some of the land to be acquired, condemnation should not be used in a blanket fashion. It would be especially shocking and irrespective to the preservation efforts that my family and other landholders have practiced in anticipation of the Battlefield expansion.

7

The National Park Service recognized the importance of the negotiated purchase process as the most fair method of acquiring property. I would like to direct your attention to the attached section of PartIV of the National Park Service's Revised Land Acquisition Policy 44CFR No. 82,April 26,1982 (attachment #2) which clearly states that "Condemnation proceedings are regarded by the National Park Service as a last resort". Unfortunately, the language of S.1540 is not as clear in intent. I refer your attention to page 2,lines 2 & 3, which reads: "The Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds,or exchange". This wording does not clearly specify the use of either negotiated purchase or condemnation proceedings.

Members of the committe, our family has lived and worked too many years to be forced to wait with apprehension while the executive administration of the Interior Department interprets this critical wording in the Bill so as to decide whether to negotiate with us or condemn us. The vague wording we have pointed out can only serve to add further administrative delay to the purchase of lands as time is taken to make the interpretation. As you can see in the highlighted area in the letter of October 16, 1979 from the National Park Service Chief of Land Acquisition Division (attachment #3) to our parents, it will still take at least two years to implement the legislation if it were perfect and enacted today. Therefore, it is probable that contrary to the already discussed urgency to enact legislation, the vague

wording may actually help to add more delay to implementation.

To condemn the major and most important land tracts, #01-140 and 01-136, both with owners ready to sell to the United States, would unquestionably be a travesty to the American colonists who gave their lives to be free from an English government which practiced arbitrary and capricious actions without regard or respect for those impacted by the government.

We would like to propose a simple solution to this otherwise thoroughly commendable legislation. The solution is a minor addition of words, again from the current federal regulations of the National Park Service quoted earlier. The addition to line #4 after the words "... exchange." would be: "The Secretary will make every effort to seek negotiated settlement wherever possible before initiation of condemnation". This simple sentence would literally do wonders to clarify the legislation and first: enable the landowners to clearly understand how their land is to be acquired and what the consequences of failing to reach a negotiated purchase would be, and secondly, the legislation would clearly spell out to the Interior Department how they are to pursue the purchase of the properties.

I am firmly convinced that negotiated purchases among the land-

owners will go swiftly and smoothly with the preservation of respect for our rights that we are afforded as Americans. It will also win praise for the actions of Congress and the efforts of the Park Service.

Of course there may be only one lotowner, the three acre tract #01-142 who will resist the purchase entirely, In which case condemnation proceedings will be necessary and properly justified by the United States. Thus, we recognize the necessity for the right to use eminent domain to be included in the legislation. It is equally importent to remember that its use should be as a last resort.

In summary, this is what we as the owners of the vitally important historic tract #01-140 have come these hundreds of miles to testify to you, that yes, we adamantly support the legislation proposed as S.1540 to complete the Saratoga National Historical Park as a national shrine and a complete 18th Century battlefield. However, with reservations about the delaying effects of the aforementioned vague wording. We have suggested specifically clear additional language which is sure to improve the Bills' passage in the Senate and the House past reluctant Senators and Congressmen of whome we are well aware of by name. It would specifically direct the policy of the Secretary of the Interior, and the National Park

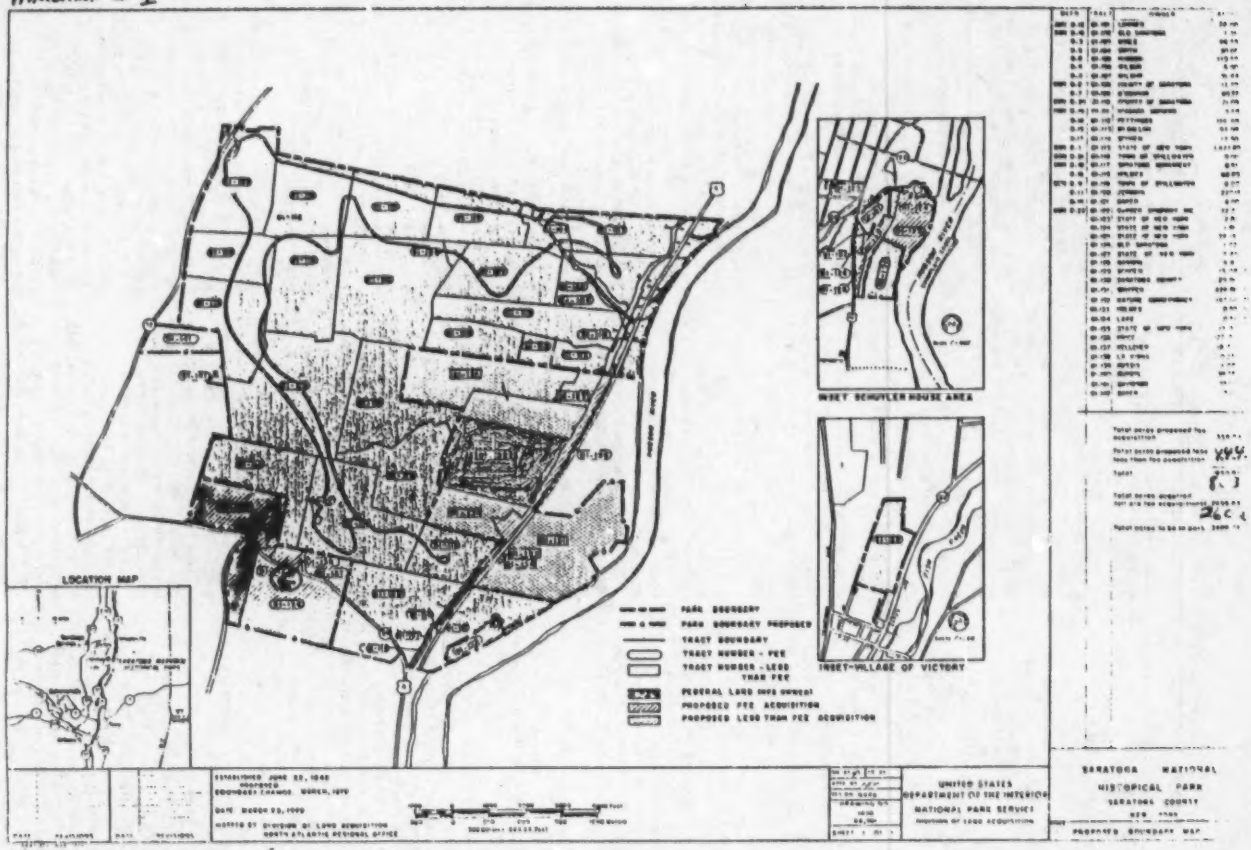
Service and be respectful to the landowners whose dignified stewardship to these historic lands, deserves consideration. This wording would also be in keeping with President Reagan's pledge that government be more responsive to the wishes of the people and less like an all powerful and arbitrary giant. It sounds much like the democratic dream that those courageous American colonists were fighting for when they faced the Brown Bess guns of the British Army. They would be proud to see this democracy at work today and the completion of the Battlefield at Saratoga. Although the Nation made much of the recent bicentennial celebration of the Yorktown victory, let us pause for a moment to remember that without the victory at Saratoga, Yorktown might never have happened.

Senators and Chairman, thank you for your consideration in hearing us today.

Mark A. Burdyl

Johnny J. Burdyl

Attachment #1




8-3 - Updated to show fee acquisition by the NPS of Nature Conservancy tract.

(G) = Gates' Headquarters 1777, at center of American camp.

Attachment #2



actions or other matters that may arouse controversy occur.

**Review of Proposed Condemnation Actions in Inholding Areas**

Any private property owner in an inholding area where property is proposed for condemnation because of an incompatible use or adverse development may seek review of a proposed condemnation of his or her property. Requests for review may follow any written or oral notification by an employee or representative of the Service that condemnation of the property is being seriously considered.

The owner must give notice of intent to seek review with the park manager prior to the submission of the condemnation request to the Department of Justice. In conjunction with the notice of intent to seek review the owner must provide written agreement to halt all activities which might affect the property until the review process is exhausted. Failure to provide such written agreement will constitute grounds for the Service to request the initiation of condemnation immediately. The written request for review must be addressed to the Director of the National Park Service within 30 days of giving notice of intent to seek review.

For condemnation reviews the Director shall appoint an interdisciplinary panel of three professionals. No member of the panel shall have any direct responsibility for land acquisition on behalf of the National Park Service or for the management of the area concerned.

The panel will consider information and arguments in informal session and will make a recommendation to the Director as to whether the use or acts affecting the property constitute incompatible use within the meaning of the Land Acquisition Policy Statement and this implementation guideline. The Director shall then render a decision based upon the recommendation of the panel and the information gathered by it. The decision of the Director shall be final and not subject to further review. This review process is an informal procedure, not a hearing.

**Authority and Procedures for Land Acquisition**

1. *Legal Basis for Acquisition*—The acquisition of lands or interest in lands, or the use of measures other than acquisition for the protection of land resources, is governed by the terms of each park's authorizing act and its amendments, or other Congressional mandates.

Most of these acts specifically authorize acquisition by purchase, donation, or exchange. The use of exchange is severely limited by the general nonavailability of lands to be given by the Government in the exchange, and so is not widely used.

Condemnation is a sovereign power of the Federal Government. The authority of the United States of America to spend public money for the acquisition of privately owned land for park purposes through the process of condemnation (eminent domain) has been considered by the courts as constitutional since 1896. *See United States* v. *Gettyburg Electric Railroad Company*, 160 U.S. 668 (1896).

Accordingly, legislation which provides for the acquisition of lands and appropriation of funds for payment to landowners is supported by the courts and is the basic process by which the Park Service acquires land.

As a part of this process the Congress has also provided for the use of a declaration of taking, which vests property in the United States immediately upon filling papers in the court and the deposit of an estimate of just compensation. (See 40 U.S.C. 258.)

[redacted] Condemnations initiated by the filing of a complaint are used in most eminent domain cases requested by the National Park Service. In these situations title to the land does not pass to the Government until the court or jury has determined the amount of just compensation and this amount has been paid to the owner. Condemnation also may be employed by the Service to determine title issues or when an owner willingly agrees to acquisition by the Federal Government, but wishes the courts to determine the value of the property.

Declarations of taking are typically used where title to the land must be vested in the United States immediately in order to prevent resource damage.

In the earlier years of the National Park Service, appropriation of money for land acquisition was from general funds in the Treasury. However, in 1965 Congress authorized the Land and Water Conservation Fund to be a continuing source of money for the acquisition of land for the National Park Service and other Federal, State, conservation and recreation agencies.

2. *How Land is Acquired*—Acquisition of lands and interests in lands is conducted in accordance with provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Pub. L. 91–646).

Acquisition must be in an authorized park area. The first step in the acquisition of land is its identification and mapping. Title to the land must then be searched and the Service must obtain an abstract of title, title insurance policy, or other valid title evidence in a form approved by the Department of Justice.

This, accompanied by a title opinion rendered by the Department of Justice, or Office of the Solicitor of the Department of Interior, identifies the person(s) from whom title must be obtained.

It is required by Pub. L. 91–646 that real property be appraised prior to the initiation of negotiation and the owner afforded an opportunity to accompany the appraiser. If the owner will not grant permission to appraise, the Service may, in appropriate instances, file a condemnation action and request a court order authorizing entry for appraisal purposes. Appraisals will conform to the Uniform Appraisal Standards for Federal Land Acquisition, as described in part 3 of this chapter, and are reviewed by the Service for conformance with sound appraisal principles.

As required by Pub. L. 91–646, the owner is provided with a written summary of the estimate of just compensation, which shall be in an amount not less than the approved appraisal, and every reasonable effort is made to acquire the property by negotiated purchase.

Additionally, property owners are entitled to a number of relocation benefits under the provisions of Pub. L. 91–646, such as expenses for moving personal belongings. This law also provides for replacement housing benefits—subject to certain requirements and limitations—of up to $15,000 for homeowners and up to $4,000 for tenants, to enable owners to obtain suitable dwellings after they move from the Government acquired property. Replacement housing benefits, but not moving expenses, are lost if the owner decides to keep a reservation for use and occupancy for residential purposes.

3. *Appraisals*—The guiding document for the National Park Service Appraisal Program is the publication entitled "Uniform Appraisal Standards for Federal Land Acquisition." These standards were published by the Interagency Land Acquisition Conference of 1973. They serve as the

Attachment #3

United States Department of the Interior

NATIONAL PARK SERVICE

*NORTH ATLANTIC REGION*
15 STATE STREET
BOSTON, MASSACHUSETTS 02109

IN REPLY REFER TO:

L1425-NAR (L)
SARA

October 16, 1979

Mr. and Mrs. Anthony Burdyl
RD # 1
Stillwater, New York 12170

Dear Mr. and Mrs. Burdyl:

Reference is made to our telephone discussion on September 28, 1979, concerning the schedule for acquisition of your property designated as Tract 01-140, Saratoga National Historical Park.

At the present time, we do not have authorization to acquire the property with appropriated funds. If legislation is enacted in this fiscal year which commenced on October 1, 1979, it would be approximately October 1, 1981, before funds would be available under the normal budget process. We are in Fiscal Year 1980 at the present time (October 1, 1979 - September 30, 1980). It is always possible that funds could be made available by a supplemental appropriation sooner.

As I indicated on May 2, 1979, when Mr. Cotter and I visited with you, we will most assuredly schedule the acquisition of your property when funds are available, to meet your needs and wishes. As long as there is no change in the resource, we can schedule the acquisition for your convenience. As I indicated to you, we can acquire the portion of your property within the proposed boundary and permit you to reserve use and occupancy of your residence. This would permit you to live in your home after purchase by the United States.

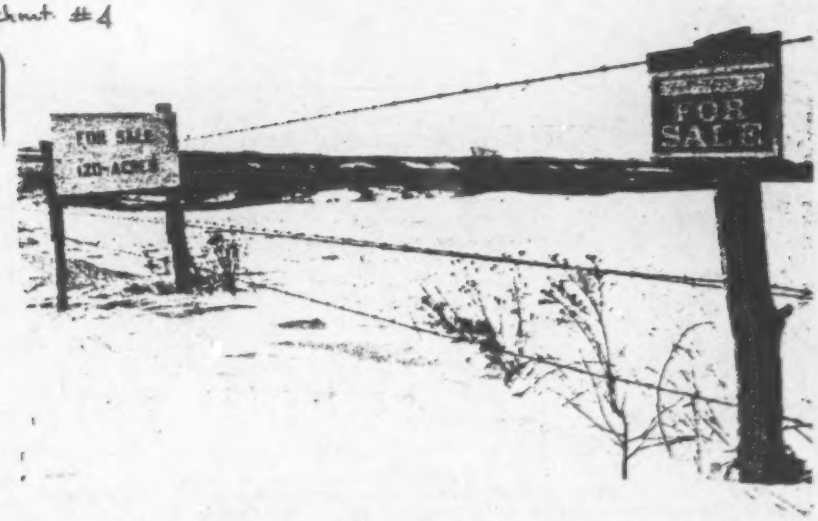
Please be assured that we will cooperate with you in this matter. If you have any questions concerning the above, please feel free to call me collect on (617) 223-3780.

Sincerely yours,

Thomas R. Coleman
Chief, Land Acquisition Division

Year of the Visitor

Attachment #4




*William Price's land: Historic and for sale*

# National Park seeks to buy historical parcel of land

BY LANDON MANNING
Staff Writer

STILLWATER — Officials of the Saratoga National Historical Park hope to acquire private land just south of the current park boundary, which was once a part of the American lines in the battles of Saratoga 1777.

While six or seven property owners in an approximately 425-acre area have homes within the old American camp lines, park officials are especially concerned with 130 acres of land owned by 73-year-old retired chicken farmer William Price. That land is being offered for sale to a single buyer.

Park Superintendent Glen Gray and Park Historian Michael Phillips note that it is on land owned by Price that the headquarters of the American Commander, General Horatio Gates, is known to have been located.

Phillips said that if the Park Service obtains the land, the service's primary interest will be in making an archaeological survey which could uncover the foundations of Gates' headquarters. This was actually the old Woodworth home, known to have been standing as late as 1848. It was at Gates' headquarters during the height of the second battle that a dramatic confrontation took place between Gates and General Benedict Arnold.

Gray explained that it will require a special act of Congress for the Park Service to purchase the property. The park service may have land donated to it, but can't buy it without legislation.

Gray noted that Congress would not have to appropriate any money. The actual funds would come from general funds of the National Park Service, such as money obtained from general admission funds to the National Parks.

The park superintendent said that he was scheduled to meet shortly with Rep. Gerald Solomon (R-C 29) to discuss the matter.

In recent years, the U.S. Park Service has spent close to a million dollars in returning the battlefield to its condition in 1777. A visitors center was also built.

Price said that, except for his own residence, on the north side of Route 32, he wished to sell his entire property. He said that several persons had expressed an interest in purchasing two or three acres to build a home, but he wished to sell the entire property.

He said that he would prefer the Park Service to become the owners, and indicated that if he could be assured of its being purchased by the government, he would wait for it to act, even if he had a buyer at hand.

In this connection Gray described Price as "having been most patient." He said that the Park Service hadn't been able to act up to now, because of legal details. "Before we talk to the six or seven landowners," Gray said, "we want to tell the public just what we're trying to do."

Insofar as the possible cost is concerned to aquire the land, Gray said that it was impossible to estimate at this time.

The Town of Stillwater zoning law sets the area in question for residential-agricultural.

That at least offers hope that should the park purchase not take place, the area would not become a commercial enterprise.

Senator WARNER. We thank you for taking the time to come down here and contribute with your very valuable testimony.

Mr. M. BURDYL. Thank you.

Senator WARNER. Have a safe return. Our last witness today will be Laura Beaty, administrative assistant, National Parks and Conservation Association.

Ms. BEATY. I have a few comments.

Senator WARNER. You have had experience before this committee that is far in excess of what I have achieved in my brief period.

We welcome you here back this morning, and whatever you wish is, it will be granted.

Ms. BEATY. I appreciate that.

## STATEMENT OF LAURA BEATY, ADMINISTRATIVE ASSISTANT FOR HISTORIC HERITAGE, NATIONAL PARKS AND CONSERVATION ASSOCIATION

Ms. BEATY. Mr. Chairman, NPCA strongly supports the enactment of S. 1540 because it is urgently needed to help preserve some of the most critical historical areas associated with the battlefield;

The bill would authorize this preservation through easements, acquisition, and donations to minimize the cost; There was a question this morning about the land protection policy being developed by the National Park Service. Even in that policy, acquisitions are provided for key areas.

In our opinion, OMB and the administration's position on 1540 is misplaced. No funds are being appropriated by S. 1540. The bill will simply allow funds to be appropriated as with other parks. As Senator Moynihan said, there is nothing special about 1540. It doesn't do anything for Saratoga that has not been done by most other parks. It simply puts Saratoga on an equal footing with other parks. It can compete for those same limited acquisition funds.

In fact, this measure would save money. It represents a compromise that was developed over many years between the Park Service and the local residents. Some 2,000 acres have been reduced from the authorized boundary, for the authorized area to be acquired of the 1948 establishment.

Mr. Chairman, we urge its passage. Failure to pass 1540 is a decision to destroy the integrity of the park. It would be ironic if the critical areas in this park were not acquired. The future would have a park at Saratoga which is set aside to commemorate the turning point in American history and what it does in fact is preserve only the British fortifications.

NPCA recommends two technical amendments.

Senator WARNER. That's a good point. We want to note that.

Ms. BEATY. NPCA recommends two technical amendments which we will support for the record.

Thank you for the opportunity to testify. If there are any questions, I'll be happy to answer them.

[The prepared statement and subsequent submittal of Ms. Beaty follows.]

STATEMENT BY LAURA BEATY
NATIONAL PARKS & CONSERVATION ASSOCIATION
BEFORE THE SUBCOMMITTEE ON
PUBLIC LANDS AND RESERVED WATER
ON S. 1540
APRIL 15, 1982

Mr. Chairman and Members of the Subcommittee, my name is Laura Beaty. I am the Administrative Assistant for Historic Heritage for the National Parks & Conservation Association (NPCA), a non-profit organization which, since its founding 63 years ago, has been a defender and advocate of the National Park System's natural and cultural resources. We appreciate the opportunity to testify on S. 1540, a bill to revise the boundaries of the Saratoga National Historical Park. For the reasons set forth below, we strongly support the measure and urge its early passage by the Subcommittee.

Mr. Chairman, I know that you and the Members are familiar with the historic significance of the events commemorated by this park. I am also sure that other witnesses today will highlight the major elements of the American victory at Saratoga in 1777 over the English forces. Rather than repeat this information, I will focus my testimony on the specific provisions of S. 1540.

The bill would modify the overall acreage of the 1948 Act by adopting a map reference authorizing the park at approximately 3,500 acres rather than the 5,500 acres authorized by the 1948 Act. (Approximately 2,600 acres are already managed by the Park Service as part of the park.)

A second change is the proposed use of authorized funds to protect the remaining unprotected but historically significant areas currently outside of the existing park. Additions to the park are currently made under the provisions of the 1938 Act authorizing the park. Those provisions allow additions only through donations of land and donation of funds used to acquire land. Unfortunately, few donations have been made since the 1940s and the past and current inability to use appropriated funds for purchases have resulted in the development of a critical site which is slated for acquisition by S. 1540. According to a 1980 report by the park manager at Saratoga NHP:

> Saratoga County is the fastest growing county in this area. Possible archeological remains in the American Headquarters area have been destroyed by recent residential development. This very important area should be acquired before it is destroyed. Existing legislation for Saratoga prohibits any acquisition by

appropriated funds. There is a high probability that the American Headquarters area will be sold for subdividing. Local town zoning allows residential and commercial development in areas adjacent to the park.

As indicated by this statement, this once remote park is now experiencing unprecedented growth. On the positive side, the development which has thus far occured is minimul. The park and the surrounding area remains relatively unspoiled, retaining its 1777 appearance. But timely action is essential if the lands referred to by the park manager are to be preserved. For example, one of the extremely important tracts containing a portion of the American Headquarters is owned by an elderly gentleman whose strong support of the park has kept him from selling his land years ago. He is now retired and has been leasing his land for several years. He is nearing a point, however, when he must sell, and unfortunately he is under constant pressure from land developers to buy his land.

NPCA supports the method by which the additional acres will be protected as delineated by the proposed map. Almost 450 acres will be protected through scenic easements, approximately 74 acres will be donated to the Park Service, and about 285 acres will be protected by acquisition of fee title. Fee title to those particular acres is essential to the park since it was on those lands that the American Headquarters was located. This site would be a key location for future visitor access. The 450 acres to be protected through scenic easements are currently farmed, as they were during the battles of 1777 except when the British fortifications occupied the area. Farming is an historical use of the land and should be continued if possible.

Because of the growing threats of development in areas that should have been protected years ago, NPCA urges prompt and favorable consideration of this measure. It has been 44 years since the original 1938 authorization was passed. It is time to make some final decisions on the future of Saratoga National Historical Park.

Thank you for the opportunity to testify.

NPCA

April 23, 1982

Honorable Malcolm Wallop, Chairman
Public Lands & Reserved Water Subcomte.
Senate Energy and Natural Resources Comte.
Rm. 3104 Dirksen SOB
Washington, D. C. 20510

Dear Mr. Chairman:

During the April 15 subcommittee hearing on S. 1540, a bill to revise the boundaries of the Saratoga National Historical Park, I stated in my testimony on behalf of the National Parks & Conservation Association that we would be submitting two technical amendments to S. 1540. Those amendments follow:

1. On page 2 of S. 1540, line 16, between "purpose" and "on the date", add the following: ",or for commercial agricultural purposes found to be compatible with the general management plan,"; and, on line 18, between "residential" and"purposes" add "or agricultural".

2. On page 2, line 23 delete the remainder of the sentence after the word "value", and insert the following: "or the term retained by the owner.".

The first amendment simply recognizes that the map reference in S. 1540 calls for the protection of agricultural lands through scenic easements. By including residential purposes as well as agricultural purposes in the text of S. 1540, it is then consistant with the map referenced therein.

The second amendment clarifies the intent of that provision. We believe that the language as written is confusing and would probably lead to future misunderstandings.

Please include this letter as part of our testimony in the hearing record. We appreciated the opportunity to appear before the subcommittee and, again, urge early passage of S. 1540.

Sincerely,

Laura L Beaty

Laura L. Beaty
Administrative Assistant
Historic Heritage

National Parks & Conservation Association, 1701 Eighteenth Street, N.W., Washington, D.C. 20009
telephone (202) 265-2717

Senator WARNER. Thank you. No questions. Thank you for returning.

The subcommittee will now adjourn, and express again its appreciation for all who attended to participate this morning.

[Whereupon, at 11:15 p.m., the hearing was adjourned.]

# APPENDIX

## ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD


**THE AMERICAN SCENIC AND HISTORIC PRESERVATION SOCIETY**

SUITE 1914, 485 MADISON AVENUE, NEW YORK, 10022 (212) 371-8700


NOV 4 1981


**TRUSTEES:**

HASH CASTRO,
FERDINAND EISEMAN,
JAMES W. GERARD,
OLIVER O. JENSEN,
GEORGE R. LAMB,
LORING McMILLEN,
JOHN H. G. PELL,
RICHARD H. POUGH,
CONRAD L. WIRTH.

**COUNSEL:**

BERNSTEIN & MAC CARTHY


October 30, 1981

Hon. James McClure
Chairman, Energy & Natural
Resources Committee
United State Senate
3104 DSOB
Washington, D. C. 20510

Dear Senator McClure:

We should be very grateful if your Committee will report favorably on S.1540, which seeks to complete the preservation of the Historic Saratoga Battlefield. As you know, this bill was introduced by Senator Moynihan.

The parcel that would be acquired contains areas of great historical significance, equally as significant as those lands already comprising the Saratoga Battlefield National Historic Site.

With many thanks for your consideration and all good wishes,

Sincerely,

President

OCT 2 1 1981

**New Hampshire Daughters of the American Revolution**

*MRS. KENNETH G. MAYBE, STATE REGENT*
*Old Mill Road, Box 11*
*Center Conway, N.H. 03813*
*447-5388*

October 19,1981

Honorable James McClure
Chairman, Energy and National Resources Committee
United States Senate
3106 DSOB
Washington, D.C. 20510

My dear Mr. McClure,

One of the primary objectives of the DAR is historical and this includes the preservation of historic spots. Since 1924 the National Society,DAR has had a resolution repairing the preservation of the Saratoga Battlefield.

In this, the Bicentennial year of the Battle of Yorktown, it is fitting to focus on the battle of Saratoga which served as the turning point in the Revolutionary War making the battle of Yorktown possible.

I would greatly appreciate your supportof S.1540 to revise the boundaries of the Saratoga Battlefield in New York State. Being a native of upstate New York this historic spot spot has a special meaning to me.

Truly yours,

Ida A. Maybe (Mrs. Kenneth G.)
State Regent

***Vice Regent***
*Mrs. Louis G. Smith*
*26 Goyette Avenue*
*Claremont, N.H. 03743*
*542-4042*

***Chaplain***
*Mrs. Edward W. Hunt*
*Box 244, RFD 1*
*Newport, N.H. 03773*
*863-4889*

***Recording Secretary***
*Miss Thaida J. Gruenler*
*Box 5*
*Henniker, N.H. 03242*
*428-7245*

***Corresponding Secretary***
*Mrs. John Voll*
*4 Croghan Lane*
*Durham, N.H. 03824*
*868-2671*

***Organizing Secretary***
*Mrs. Phillip F. Kennedy*
*East Meadow Lane*
*Suncook, N.H. 03275*
*485-9893*

***Treasurer***
*Miss Marion E. Kittredge*
*3 Oakwood Park*
*Claremont, N.H. 03743*
*542-6673*

***Registrar***
*Mrs. Charles Parker*
*95 Robinson Road*
*Hudson, N.H. 03051*
*882-7506*

***Historian***
*Mrs. Melvin E. Watts*
*24 Watts Road*
*Londonderry, N.H. 03053*
*432-9034*

***Librarian***
*Mrs. John S. Warren*
*P.O. Drawer "D"*
*Melvin Village, N.H. 03850*
*544-8833*

MRS. RICHARD DENNY SHELBY
PRESIDENT GENERAL
NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION
ADMINISTRATION BUILDING, 1776 D STREET, N.W.
WASHINGTON, D.C. 20006

October 26, 1981

...ERGY AND NATURAL RESOURCES
...V 2 1981
...SHINGTON, D. C. 20510

The Honorable
James A. McClure
Chairman, Energy and Natural Resources Committee
31 Dirksen Senate Office Building
Washington, D. C. 20510

Dear Senator McClure:

At its annual Continental Congress in May 1981, the National Society of the Daughters of the American Revolution reaffirmed a Resolution originally adopted in 1924 regarding Saratoga National Historical Park in New York State.

In this year of the celebration of the 200th anniversary of the Battle of Yorktown, it is appropriate to focus on the Battle of Saratoga, the battle which served as the turning point in the Revolutionary War making Yorktown possible.

Your support of S. 1540, to revise the boundaries of the Saratoga National Historical Park in the State of New York, would be appreciated.

Sincerely,

Patricia W. Shelby

Mrs. Richard Denny Shelby

S/p

10 Clyde Street
Fort Plain, New York 13339

November 8, 1981

Sub-Committee on Public Lands
and Reserved Water
U.S. Senate
Washington, D.C. 20510

Gentlemen:

Your support is requested for Senator Daniel Patrick Moynihan's Bill #1540 now pending in the U.S. Senate which will prevent the commercialization of the Saratoga Battlefield and preserve it as a national park.

Sincerely,

Corinne H. Smith

Mrs. Harlan F. Smith

chs:s

○